



Community Redevelopment Agency

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

September 2, 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, September 8th, 2010 at 2:00 p.m.** **The meeting will be held at the *City Hall Commission Chamber, 210 Sams Ave, 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.

Respectfully submitted,



Anthony G. Otte, CRA Director

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

Attachment

**REGULAR MEETING AGENDA
COMMUNITY REDEVELOPMENT AGENCY
WEDNESDAY, SEPTEMBER 8, 2010 AT 2:00 P.M.,
CITY COMMISSION CHAMBERS,
210 SAMS AVE. NEW SMYRNA BEACH, FL**

1. CALL TO ORDER

2. ROLL CALL

3. CONSENT AGENDA

- A. Approval of Minutes – Regular Meeting August 4th, 2010
- B. Commercial Property Improvement Grant: 310 – 312 Julia Street
- C. Commercial Impact Fee Assistance Application: 600 East Third Ave
- D. Commercial Property Improvement Grant: 113 S. Orange Street

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. Quentin Hampton – Flagler Boardwalk Seawall Report
- B. Presentation on the Badcock Building
- C. Request for a new program: Dolphin View Restaurant

6. OLD BUSINESS

- A. Commercial Property Improvement Grant Change Order - 304 Flagler Ave – Island Collection
- B. Canal Street Historic District – FY 2009/10 Grants & Aids Reallocation Request
- C. Form-Based Code Selection Consultant
- D. Bids proposal report for South Orange St. and Mary Ave. Streetscapes
- E. Independent Retail Move-in Incentive Program
- F. Washington Street Incubator – contact for design services
- G. Esther Street Park - Seawall Design Proposals
- H. Washington Street Streetscape – Shortlisted Firm Rankings
- I. Dunn Lumber property demolition proposal

7. NEW BUSINESS

N/A

8. REPORTS AND COMMUNICATIONS

- | | |
|----------------------------|------------------------|
| A. Director's Report | D. Commissioner Report |
| B. CRA Attorney's Report | E. Tracking report |
| C. Capital Projects 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 **DRAFT**

2
3 **MINUTES OF THE**
4 **CITY OF NEW SMYRNA BEACH**
5 **COMMUNITY REDEVELOPMENT AGENCY**
6 **MEETING OF AUGUST 4, 2010**
7 **UTILITIES COMMISSION, 3RD FLOOR DEBERRY ROOM,**
8 **200 CANAL STREET**
9 **NEW SMYRNA BEACH, FLORIDA**

10
11
12 Chair Linda DeBorde called the CRA meeting to order at 2:00 p.m.

13 **Answering to roll call:**

14
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16 **Steve Dennis**
17 **James Kosmas**
18 **Cynthia Lybrand**
19 **Thomas Williams**
20 **Doug Hodson**
21

22 Also present were CRA Director Tony Otte; CRA Project Manager Michelle Martin;
23 CRA Administrative Assistant Claudia Soulie and CRA Attorney Mark Hall.
24 Commissioner Charles Belote was absent (excused).
25

26 Ms. DeBorde recognized Volusia Councilman Jack Hayman and NSB City Manager Pam
27 Brangaccio.
28

29 **CONSENT AGENDA**

- 30 A. Approval of Minutes – Regular Meeting July 7, 2010
31 B. Purchase Order Change Form – Mark Hall, CRA Attorney
32

33 **Mr. Hodson made the motion to approve the consent agenda items, seconded by Mr.**
34 **Dennis. Motion carried on roll-call vote 6 –0.**
35

36 Mr. Otte stated that staff would like to withdraw item D. *Report on Bids received for*
37 *South Orange St. and Mary Ave. Streetscapes* from today's agenda as they were still in
38 the process of checking references. Mr. Otte continued that this item would be brought
39 back on a future agenda.
40

41 Mr. Hall suggested checking with the audience if someone was attending the meeting
42 specifically for this item. There being no one, the CRA agreed to the withdrawal.
43
44

45 **PUBLIC PARTICIPATION**

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

48 Ms. Doris O'Toole, long-time employee of Island Collection at 304 Flagler stated that
49 she was representing her employer, Mr. and Mrs. Carpenter who were also present at the
50 meeting. Ms. O'Toole stated that the Carpenters had recently submitted a Change Order
51 which the CRA denied as the additional work was done without prior approval. This
52 Change Order requested an increase in the dollar amount for a Commercial Property
53 Improvement Grant for 304 Flagler Ave. approved by the CRA in 2009. Ms. O'Toole
54 continued that the Carpenters felt that they had followed what was told to them by CRA
55 staff and that they would like the opportunity to revisit their case for additional funding.

56 Mr. Otte stated Mr. Carpenter had approached him for further guidance after the denial.
57 Mr. Otte continued that he informed Mr. Carpenter that he was not able to put this item
58 back on the CRA agenda, as it had been denied and suggested that Mr. Carpenter ask the
59 CRA to revisit his case during the Public Participation portion of the meeting and await
60 CRA direction.

61 Mr. Williams stated that he would like this item to be addressed again on the next CRA
62 agenda, as he had learned additional information on the sequence of events for this case
63 that may have caused confusion.

64 A brief discussion ensued about the amount approved for the original application, that the
65 matching dollar amount contribution by the CRA for this type of grant was increased at
66 the same meeting, and possible causes for the misunderstanding

67 Mr. Dennis stated that Mr. Otte should bring this item back at the next meeting for further
68 discussion.

69

70 Ms. Lola West Duckworth, business owner and recent resident to New Smyrna Beach
71 from Winter Park, Florida, stated that her goal was to re-open her consulting office in
72 New Smyrna Beach and commented on the proposed CRA grant to assist new businesses.
73 Ms. West Duckworth urged the CRA to reconsider a stipulation in the grant guidelines
74 that the recipients had to be a retail establishment. Ms. DeBorde stated that she felt the
75 CRA's goal was to establish more retail businesses on Canal Street but suggested that
76 Ms. West Duckworth contact Mr. Otte as the criteria for this proposed grant had not been
77 fully established.

78

79 Ms. Cindy Jones, owner of Southern Trends Furniture, 334 Canal Street, addressed the
80 CRA with the request of being able to re-allocate the remaining funds on a previously
81 approved Grants & Aids application for the Canal Street Historic District Association
82 (CSHD), as one of the events did not take place. Ms. Jones stated that the CSHD had
83 recently reorganized its association.

84 Mr. Hodson inquired if there had been similar scenarios in the past and how was it
85 handled. Mr. Otte stated that he was not aware of any precedent and that he did not object
86 to the reallocation. Mr. Otte felt that the new association was making great progress and
87 was excited about the current direction.

88 A brief discussion ensued on how to handle this request. Mr. Hall, CRA Attorney
89 suggested that staff bring this item back for a vote at the next CRA meeting.

90 There being no further request, Ms. DeBorde closed the Public Participation portion of
91 the meeting.

92

93 **PRESENTATION:**

94 A. None

95

96 **OLD BUSINESS**

97

98 A. Request for Additional Public Art funds – Images, a Festival of the Arts

99

100 Mr. Otte stated that the Atlantic Center for the Arts (ACA) presents *Images – A*
101 *Festival of the Arts* show every year in the Canal St area and in the past had received
102 funding from both the CRA and the City Commission.

103

104 Mr. Otte continued that during a recent City Commission budget workshop it was
105 noted that the draft budget for the City’s General Fund anticipated a significantly
106 reduced revenue stream, thus the City not being able to provide the \$5,000. Mr. Otte
107 stated that the City Commission wished to utilize any CRA or City funding for
108 purposes other than the purchase of artwork and that the ACA representatives had
109 responded with several other options they would welcome as donations in lieu of the
110 purchase of art work.

111

112 Mr. Otte clarified that the request today was to replace the \$5,000 usually donated by
113 the City from the City’s general fund with CRA dollars for a total CRA contribution of
114 \$12,500 [\$2,500 for the Children’s Education tent; \$5,000 for a Purchase Art fund
115 (approved by CRA at 7/7/10 meeting) and the additional \$5,000 to cover the City’s
116 contribution]. Another option could be to reallocate the \$5,000 the CRA had approved
117 for an art purchase award to a sponsorship award for a total CRA contribution of
118 \$7,500.

119

120 Ms. Lowden Norman thanked the CRA for their support and stated that it had been
121 very instrumental in the Festival’s success.

122

123 A brief discussion ensued about the ACA’s sponsorship plan once the CRA sunsets in
124 2015. Ms. Nancy Lowden Norman with the ACA stated that they were constantly
125 looking for sponsors and broadening their list.

126

127 Ms. Lybrand wanted to make sure that the CRA was following the correct guidelines if
128 any funds other than those set aside for public art were being used.

129

130 Mr. Otte stated that there were monies set aside for partnership/marketing activities.

131

132 Mr. Williams mentioned that at a recent Florida Redevelopment Agency (FRA)
133 regional meeting it was stated that CRA’s were not allowed fund a service or function
134 that had been traditionally funded by its City and he wanted to make sure that all rules
135 were being followed. Mr. Hall stated that this could be a concern.

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137 Mr. Kosmas stated that he felt more comfortable reallocating the previously approved
138 \$5,000 from an art purchase award to a sponsorship award.

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Mr. Dennis suggested not taking an action on this item until the proposed FY 2010/11 budget later on today's agenda had been reviewed. Ms. DeBorde felt that this was a good idea and Mr. Kosmas stated that he was under the impression that the CRA had already reviewed/reallocated all funds at the last CRA meeting.

Mr. Kosmas made the motion to rescind the previously approved \$5,000 for an art purchase award and to reallocate them to a \$5,000 Festival Sponsorship award under the CRA's Marketing/Promotion budget, subject to Staff's review of it being an appropriate expenditure; seconded by Mr. Williams. The motion carried on a roll call vote 6 – 0.

B. Contract for Wayfinding Project

Mr. Otte stated that the development of a Wayfinding system was a key recommendation in the CRA Master Plan Update and that Wayfinding was a general term referring to a system of special highway and street signage, directing visitors to attractions and desired destinations. Mr. Otte continued that in New Smyrna Beach, this included many destinations within the CRA, such as Canal Street, Flagler Ave, the beach, and historical and cultural sites.

Mr. Otte stated that City staff had issued a solicitation for this task and other planning work and that the firm BellomoHerbert had been selected. Mr. Otte informed the CRA that the City Commission had authorized staff to begin the negotiation of a contract with BellomoHerbert and CRA staff was suggesting the CRA approve staff's recommendation to move forward with the proposed Wayfinding scope of work at \$48,650 (design only). Mr. Otte continued that the cost for the actual signs etc. would be well within the proposed budgeted amount in the CRA's wayfinding/signage line item.

Mr. Glenn Herbert, with BellomoHerbert gave a brief summary of his proposal and elaborated on new FDOT regulations, as some of the streets included in the wayfinding were FDOT State Roads.

A brief discussion ensued about the intersection of US1 and SR 44 being a very important intersection and that the CRA would be able to fund signage in that location, even though it was outside of the CRA district, as placing signage there would have a positive benefit on the CRA district.

Mr. Hodson made the motion approved staff's recommendation to move forward with the Wayfinding scope of work; seconded by Mr. Dennis. Motion carried on a roll call vote 6 - 0.

C. Budget Amendment: West Canal Streetscape Change Order #3

Mr. Otte stated that Change Order # 3 had been submitted by the design build team, ThadCon, for added items of work, which were not described in the original scope of

188 work in the City RFP or in their Proposal. Mr. Otte continued that CRA staff had
189 thoroughly reviewed all items included in this change and had conducted several
190 meetings with the design build team to discuss each item with them, which had resulted
191 in many of the items being re-negotiated. Mr. Otte stated that staff recommended
192 additional funding for Change Order # 3, Items 3A (Electrical Engineering for Backlot
193 easement), 3C (Variable Message Boards during Bike Week), 3D (70 Additional Days to
194 contract duration), and 3E (Chestnut additional asphalt), in the amount of \$18,966.55,
195 and denial of additional funding (\$16,165.33) for Item 3B (Archaeological Funding).

196
197 Ms. Michelle Martin, CRA Project Manager, stated that staff was denying the request for
198 Archaeological funding based on the statement in the New Smyrna Beach City Code
199 section 50-13 which states that it was the responsibility of the DesignBuild Team to
200 comply with all of the requirements listed herein and that the DesignBuild Team would
201 be responsible for any fees associated with archaeological construction monitoring and
202 compliance with Section 50-13.

203
204 **Mr. Dennis made the motion approved all items of Change order No. 3 except for**
205 **Item # 3B (Additional Funding for Archaeological requirements for the Canal**
206 **Work); seconded by Ms. Lybrand. Motion carried on a roll call vote 6 - 0.**

207
208 Mr. Dick Sizemore, owner of Thadcon, felt that the issue with this item could stem from
209 verbiage used in the original Request for Proposal and the Lump-sum bid included in it.
210 Mr. Sizemore stated that they could not have realistically put a price on the
211 archaeological work, as there was no way of telling what would be involved. Mr.
212 Sizemore pointed out that the City, in a recent bid, had separated out what was
213 archaeological monitoring and what was "Phase 2 – Discovery", which he felt should
214 have also been done in the package that they had bid on. Mr. Sizemore asked that the
215 CRA would allow his team to address the CRA.

216
217 Mr. Bill Scott, Engineer with Ghyabi and Associates, explained that it was extremely
218 difficult to put a price on an archaeological project until construction actually began.

219
220 Mr. Mike Arbuthnot, Principal Archaeologist for the W. Canal Streetscape project gave a
221 brief summary of the steps that had to be taken depending on what was being discovered.
222 He felt that the issue was a fundamental disagreement on the interpretation of City Code
223 50-13 and what it meant to work in compliance with City Code 50-13.

224
225 Mr. Kosmas asked why no one (neither ThadCon nor the Archaeologist) had addressed
226 the possibility that monitoring could reveal artifacts in form of a contract modification
227 before the project even began to avoid any confusion later.

228
229 Mr. Arbuthnot stated that he interpreted the section of the code *...if monitoring indicates*
230 *that a site is archaeologically significant, further excavation shall occur.* to mean that
231 this was now a separate task from monitoring and required a change order.

232
233 Mr. Sizemore felt that making any kind of modifications to the contract of a lump sum
234 bid by adding stipulations or conditions would not have been appropriate nor did he feel
235 that there was an opportunity to do so.

237 A brief discussion ensued about the pros and cons of lump sum bids versus “cost plus”
238 bids and the need to stay competitive.

239
240 Ms. Lybrand asked for clarification on a similar scenario in change order number 2 where
241 the CRA paid for the archaeological costs. Ms. Martin stated that change order number 2
242 was a completely new request which was not at all mentioned in the RFP, thus, qualified
243 to be reimbursed by the CRA.

244
245 Mr. Hodson asked for Mr. Hall’s opinion. Mr. Hall stated that he felt that the contractor
246 and his sub-contractors were responsible to pay for this item and not the CRA.

247
248 The CRA came to the consensus to take no action.

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251

252 D. Report on Bids received for South Orange St. and Mary Ave. Streetscapes

253
254 Withdrawn. See staff’s comments under Consent Agenda.

255
256

257 E. Rent Incentive Program

258
259 Mr. Otte stated that there were over a half-dozen vacant commercial spaces now on Canal
260 Street and that CRA staff had developed a program to attract businesses to locate to the
261 CRA modeled after an existing similar program in Delray Beach. Mr. Otte continued that
262 this proposed program would provide rent incentives for up to one-third of the business’s
263 monthly rent or \$500 per month, whichever was less, for 12 months with a maximum
264 total subsidy per business of \$6,000.

265
266 Mr. Otte mentioned that there were a number of restrictions in the program and that this
267 program was briefly discussed at a meeting of the Canal Street property owners with
268 spaces for lease, and there was interest expressed in any program that would help fill the
269 spaces.

270
271 Mr. Hodson felt that this was a great idea and was in favor of this program.

272
273 Mr. Williams stated that CRA incentives were generally matching grants and felt that the
274 property owners needed to contribute to the incentives. Mr. Williams also wanted to be
275 sure that the rent rates were fair market rates and was wondering if some properties were
276 vacant due to their location or their lease/rent rates.

277
278 Mr. Kosmas was in favor of finding ways to help the property owners attract tenants to
279 fill their vacancies.

280
281 Mr. Bob Wiley, property owner on Canal Street cautioned about comparing rates by
282 square footage as this may not render accurate results and felt that the rent incentive
283 program should be kept very simple.

284

285 The CRA agreed that some type of reasonable rent/lease rate check had to be established
286 and a brief discussion ensued about the tenant paying at least 50% of the rent and the
287 CRA and the property owner sharing the other 50%.

288

289 Ms. Lybrand questioned one of the stipulations in the guidelines that would disqualify
290 any business that had not been in operation for at least three years.

291

292 Mr. Dennis felt that the program had to be kept simple in order to assure that the CRA
293 was able to monitor it.

294

295 A brief discussion ensued about the pros and cons of the “retail business” stipulation and
296 that some offices can bring a clientele with a lot of wherewithal to Canal Street.

297

298 Mr. Kosmas was concerned about the “full-time equivalent W-2 employees” requirement
299 and felt that this would disqualify a lot of start up businesses.

300

301 Flare Elliot, Business owner on Canal Street suggested revisiting the CRA Master Plan
302 update which indicated that Canal Street needed a balance between retail and office
303 space. Ms. Elliot continued that “retail” can be a broad definition, which may allow an
304 undesired element on Canal Street.

305

306 Mr. Otte suggested rewriting the program to include the Commissioners comments and to
307 forward this draft to the Canal Street property owners for comment.

308

309

310 F. Brownfields Inventory and Priority Ranking

311

312 Mr. Otte stated that the purpose of this study would be to provide the City with a tool
313 required to prioritize potential Brownfield projects and successfully manage the
314 Brownfield program. This work would include:

315

- 316 1. Meeting with staff to obtain local knowledge regarding the properties within the
317 area of investigation to create a list of potential program sites.
- 318 2. Working to further refine this information with the collection of basic site
319 information and site reconnaissance.
- 320 3. Conducting an in-depth screening for each property.
- 321 4. Reviewing the completed report and gaining a consensus with CRA and City staff
322 on which sites would be the best candidates for Phase I and Phase II
323 Environmental Site Assessments.

324

325 Mr. Otte continued that this work was the next step in the implementation of the
326 Brownfields program, funded with grant funds.

327

328 Mr. Howard Fowler and Mark Mulligan with Nodarse & Associates gave a brief
329 summary of their proposal which also included locations outside the CRA district.

330

331 Mr. Kosmas asked about the CRA’s function as this involved neither CRA funds nor
332 CRA district properties and he wanted to make sure the CRA was not overstepping its
333 authority. Mr. Otte stated that the initial sites were all in the CRA. Mr. Mulligan felt that

334 the State had authorized the CRA to “watch over” the Grant funds and that the CRA was
335 able to augment their goals for redevelopment by using the grant money to help clean up
336 blighted areas.

337
338 Ms. DeBorde stated that when the CRA obtained this federal grant it was explained that
339 this would be a citywide grant and that the CRA had put forward the effort to fill out the
340 grant application that secured the grant. Mr. Otte clarified that City staff would be
341 working on areas outside the CRA district.

342
343 Mr. Kosmas deferred to Mr. Hall’s expertise. Mr. Hall stated that there was nothing to be
344 concerned about.

345
346
347 **Mr. Williams made the motion to approve staff’s recommendation to execute the**
348 **scope of work with Nodarse and Associates; seconded by Mr. Hodson. Motion**
349 **carried on a roll call vote 6 - 0.**

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351
352 **NEW BUSINESS**

353
354 A. Commercial Property Improvement Grant Application: 600 East Third Ave.

355
356 Mr. Otte stated that this application requested improvements at Heath’s Natural Foods
357 Inc., located at 600 East Third Ave and had received the necessary points to be
358 considered for funding.

359
360 Mr. Mark Rakowski, Land Planning Consulting, representing the property owner gave a
361 summary of the scope of work.

362
363 Mr. Kosmas asked if there had been any consideration for outside seating. Mr. Rakowski
364 stated that this was being discussed and that leased parking may be an option. Mr. Otte
365 stated that he would work with Mr. Rakowski.

366
367 **Mr. Hodson made the motion to approve the Commercial Property Grant for 600 E.**
368 **Third Ave in the amount of \$10,000; seconded by Ms. Lybrand. Motion carried on a**
369 **roll call vote 6 - 0.**

370
371 B. Commercial Property Improvement Grant Application: 227 – 231 Canal Street

372
373 Mr. Otte stated that this application requested improvements on the west side of the
374 Wiley Building at 227-231 Canal Street and that the design would architecturally flow
375 with the front exterior.

376
377 Mr. Bob Wiley, property owner on Canal Street gave a summary of the scope of work
378 and why he wanted to beautify this area.

379
380 **Mr. Hodson made the motion to approve the Commercial Property Grant for 227 –**
381 **231 Canal Street in the amount of \$10,000; seconded by Ms. Lybrand. Motion**
382 **carried on a roll call vote 6 - 0.**

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Mr. Wiley stated that a new retail business opened up on the corner of Canal Street and Faulkner and invited everyone to stop by and say hello.

Mr. Kosmas thanked Mr. Wiley for his continued efforts of having New Smyrna Beach's best interest at heart.

C. Commercial Property Improvement Grant Application: 521-523, 519 Canal Street

Mr. Otte stated that this application requested improvements to the area west of the building at 519 Canal Street, which would 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). Mr. Otte continued that the owner wished 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.

Mr. Dennis felt that the City's Land Development regulations limited the allowance for outdoor dining and asked the City Manager her views. Ms. Brangaccio stated that the City was in the process of addressing this topic.

Mr. Dennis made the motion to approve the Commercial Property Grant for 521-523 Canal Street in the amount of \$10,000 and 519 Canal Street in the amount of \$10,000; seconded by Mr. Williams. Motion carried on a roll call vote 6 - 0.

D. Review of FY 10-11 Proposed Budget

Mr. Otte stated that the CRA made a presentation to the City Commission during their budget workshop on July 28 of the draft operational budget with the following features:

1. The Personnel Services section deleted the CRA Coordinator position and had two new positions: a part-time planner, and a part-time consultant. Duties for the part-time planner would 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 will be to move capital projects forward. At this point nearly every project on the capital project list had been initiated.

Mr. Kosmas stated that it needed to be understood that the CRA still had incentives available for any entities interested in relocating to this Medical District area, even though the dollar amount for the Medical Services District had been reduced to zero.

432

433 Mr. Otte understood Mr. Kosmas' concern and informed the CRA that he had a meeting
434 scheduled with the CEO of the Hospital to discuss the directions for partnership in the
435 CRA Master Plan update.

436

437 Mr. Williams quoted Ms. Lybrand's comment from a previous meeting about the hospital
438 purchasing properties, thus taking them off the tax roll and felt that it would be beneficial
439 to encourage the hospital to entice private businesses to relocate to the medical district
440 area.

441

442 **Mr. Kosmas made the motion to approve the FY 2010/11 CRA budget as proposed;**
443 **seconded by Mr. Hodson. Motion carried on a roll call vote 6 - 0.**

444

445 E. S. Orange St. Streetscape and Parking lot improvement project – FDOT
446 Utility Permit

447

448 Ms. Martin stated that CRA staff initially began the permit process with the FDOT, as it
449 would be required when installing Stormwater Manhole # 1, however the FDOT returned
450 with a lengthy list of requirements for the permit, which could not be easily accomplished
451 in-house. Ms. Martin continued that staff had coordinated with AECOM, the Engineer of
452 record for the project to prepare and apply for the FDOT Utility Permit, addressing all of
453 the FDOT's requirements, for an added Services amount of \$11,100.

454

455 **Mr. Hodson made the motion to approve the additional Services for AECOM in the**
456 **amount of \$11,100; seconded by Ms. Lybrand. Motion carried on a roll call vote 6 -**
457 **0.**

458

459 F. Emergency Business Retention Program

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461 Mr. Otte stated that the primary objective of the CRA Emergency Business Retention
462 Program would be to make funds available to a building owner on a 1 to 1 matching
463 basis not to exceed CRA funds of \$10,000 per project (\$20,000 total project cost) to
464 make building repairs that would help keep a tenant business from closing. Mr. Otte
465 informed that a recent A/C situation at a local Mexican restaurant had prompted staff to
466 look into creating this type of program.

467

468 Mr. Otte continued that at times there were unanticipated repairs that needed to be
469 completed on buildings and their mechanical elements and if those threatened the
470 continued usefulness of a building and the occupancy of a valued tenant, the CRA may
471 wish to be involved in order to maintain the existing business.

472

473 Mr. Otte commented that specific goals of the CRA Emergency Business Retention
474 Program could include:

475

476 1. Allowing property owners to properly maintain their buildings and the occupancy
477 of their rental spaces.

478 2. The elimination of conditions that were detrimental to the public health, safety and
479 welfare of the business's patrons.

480 3. The revitalization and/or preservation of properties deemed significant for their
481 historical, architectural or design value

482

483 Mr. Hodson felt that it was in the CRA's best interest to retain businesses on Canal
484 Street but cautioned that some issues needed to be resolved by the property owner and
485 the tenant.

486

487 Mr. Kosmas suggested deferring making a decision on this item until a future meeting
488 to allow for a better review of the program.

489

490 A brief discussion ensued about the property owner not only needing to participate in the
491 proposed program with a dollar for dollar match, but also in offering other incentives for
492 the tenant, e.g. lowering the rent for a certain amount of time to ease the business'
493 hardship.

494

495 Mr. Dennis suggested that staff meet with the tenant and the property owner. Mr. Otte
496 stated that he had been in touch with the tenants and that he would invite both the tenants
497 and the property owner to a future CRA meeting.

498

499 Mr. Kosmas asked that any information that came out of these meetings be forwarded to
500 the CRA as this could be beneficial in making an appropriate decision.

501

502 Mr. Wiley was not in favor of such an incentive program as he felt that this might set a
503 bad precedent.

504

505 **Mr. Dennis made the motion to defer item 7. F and G. until a later date; seconded**
506 **by Mr. Williams. Motion carried on a roll call vote 6 - 0.**

507

508 G. Emergency Business Retention Program - Application for 424 Canal St

509

510 Deferred – See motion above.

511

512 H. Proposed CRA R/W and Safety Improvements Project

513

514 Ms. Martin stated that the proposed new program would be an annual program designed
515 to proactively improve the safety and quality of the CRA District's streets and sidewalks,
516 as well as enhance the *Charm*.

517

518 Ms. Martin continued that this program would be managed by the CRA Project Manager
519 and implemented on an annual basis, similar to Volusia County's Annual Road
520 Resurfacing Project which the City "piggy-backs" on. Annually a Master Line Item List
521 would be advertised for bidding and the winning Contractor would be furnished with a
522 list of locations in which to implement the improvements, including detailed drawings,
523 estimated quantities, and other specific details for the improvements.

524

525 Mr. Dennis cautioned that the CRA was not in the position to pay for items that have
526 ordinarily been maintained by the City, as this would go against the CRA statutes.

527

528 A brief discussion ensued on the proposed program.

529 Mr. Kosmas was concerned that modifying areas to meet ADA features could be very
530 costly and suggested treating this as a separate item on a project basis.

531

532 The CRA commended Ms. Martin on her work in coming up with this draft program and
533 gave the direction that staff modify the program to stay in line with CRA statutes and
534 bring it back at a future meeting.

535

536 Mr. Otte referred to a hand-out placed at the CRA Commissioners' stations that
537 addressed the Riverside Park lighting retrofit project. Mr. Otte continued that Quentin
538 Hampton (QH) was the design engineer for the Riverside Park project and it had been
539 discovered that the light poles in the park have deteriorated and could become a hazard.
540 Mr. Otte stated that staff was recommending approval of QH's proposal, as funds were
541 available in the Riverside Park Project line item.

542

543 **Mr. Dennis made the motion to approve Quentin Hampton's proposal in the**
544 **amount of \$18,700; seconded by Mr. Williams. Motion carried on a roll call vote 6 -**
545 **0.**

546

547

548 REPORTS AND COMMUNICATIONS

549

550 A. Director's Report

551

552 Mr. Otte stated that he had been approached on several occasions for an update on the
553 Flagler Ave. Boardwalk project. Mr. Otte informed the CRA that staff had contacted
554 Quentin Hampton and invited them to present their report at the September 1, 2010 CRA
555 meeting.

556

557 Mr. Otte stated that staff had started compiling a list of inventories of leasable spaces on
558 Canal Street and had posted this list on the City's website as well as Canal Street
559 Merchant's website.

560

561 Mr. Otte handed out a poster given to him by the NSB Visitor's Center advertising the
562 Antique Car Show and he also informed the CRA that staff was still working with the
563 Visitor Center to create a video of Canal Street.

564

565 Mr. Otte informed the CRA that a workshop was scheduled on August 10, 2010 to
566 discuss a list of City owned properties that could potentially be developed and staff
567 would report back on this item.

568

569 Mr. Otte stated that staff had decided to get an asbestos survey for the Dunn property
570 prior to putting together a demolition bid and was trying to have a package put together
571 for presentation to the CRA at the next meeting.

572

573 Mr. Otte commented that the bike racks had been installed at various locations
574 throughout the CRA and one (1) had already gotten hit by a car and staff was making
575 great efforts on "cleaning up" Canal Street by trimming trees, cleaning sidewalks, etc.

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B. CRA Attorney's Report

- a. Review of Procedures for the Selection of Officers and the filling of vacancies

Mr. Hall quoted from Ordinance 18-85 that the City Commission shall designate a chairman and vice-chairman from among the agency commissioners.

Mr. Hall elaborated on the requirements that in order to be appointed as a CRA Commissioner, a person had to live, work or own a business within the CRA District.

C. Capital Projects Report

Mr. Otte stated that CRA staff had been working on creating a report of all CRA Capital projects and was updating it monthly. Mr. Otte continued that this report showed that there was activity in virtually every project.

D. Commissioner Report

Ms. DeBorde thanked everybody for their patience with her in the recovery from her recent illness.

Ms. Lybrand stated that she recently visited the City's website to check for local events and felt that the information was lacking. Ms. Lybrand suggested posting any events within the CRA district along with the City's events.

Mr. Kosmas commented on several areas within the City and CRA district that looked good but stated that he was not aware that Canal Street from the railroad tracks to US1 was not included in any of the CRA's projects. Mr. Kosmas suggested looking at a project of paving/stripping to make that section look more presentable. Ms. Martin stated that FDOT would be doing this section of the road as part of the US1 project.

Mr. Hodson stated that he was pleased to the attention given to Canal Street and the redevelopment efforts and wanted this forward movement to continue.

Mr. Williams made a motion to budget an amount in the CRA's seminar line item to allow the Mayor, City Manager and City Commissioner to attend the annual Florida Redevelopment Association conference, as this was a way to educate people about CRAs; seconded by Ms. Lybrand. The motion carried on roll call vote 6 -0.

Mr. Williams was in favor of suggesting to the City Commission that they attend the CRA meeting where Quentin Hampton was making their presentation on the Flagler Boardwalk.

E. Tracking report

F. Correspondence

623 Mr. Dennis read a letter from CRA Chair Linda DeBorde written July 23, 2010 in which
624 she regretfully resigned from her position as Chair effective October 1, 2010.

625

626 Ms. DeBorde thanked everybody for all their support.

627

628 **ADJOURNMENT**

629

630 **A motion was made to adjourn; all agreed. Meeting adjourned at 4:45 pm.**

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte

Meeting Date: September 8, 2010

Action Item Title: Commercial Property Improvement Grant: 310 – 312 Julia Street

Agenda Section: Consent X Public Hearing Special Items

Summary Explanation and Background

The applicant has submitted a scope of work for Phase I that includes exterior cleaning and pressure washing, removing and replacing rotten fascia, soffit and siding, 2 side windows and painting for the buildings at 310 & 312 Julia respectively.

The scope of work for Phase II includes removal/disposal of existing wooden fence and the purchase/installation of new white vinyl fence.

The estimated total cost of the project is \$15,850 and the amount of grant assistance requested is \$7,925.00.

Recommended Action/Motion:

This application has received the necessary points to qualify for consideration and staff recommends approval.

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

If approved, the funds for this application would come out of the FY 2010/11 budget, account number 12051502-583001, which has a balance of \$75,000.

Exhibits Attached:

1. Package submitted by the applicant
2. Score sheets

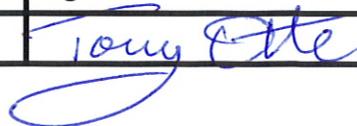
Reviewed By:

Name

Signature

CRA Director

Tony Otte



Commission Action

310-312 Julia Street

Funding Evaluation

Did the 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/Improvement:

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 17

CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY

APPLICATION FORM

COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM

NAME: ROBERT M. GARRIQUES
PROPERTY ADDRESS: 310 - 312 JULIA ST. NSB, FL 32168
TELEPHONE: 386-427-5557 (DAY) 424-1088 (EVENING)
CALL 689-6951

TYPE OF IMPROVEMENT PLANNED:

Exterior X Painting X Landscape _____ Electrical _____
Signage _____ Awning _____ Parking Area _____ Other X fence

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: \$ ~~18,000~~ 15,850.00

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ ~~9,000~~ 7,925.00

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

2/13/10

DATE

Jim Goempel Footings, Inc

General Building Contractor

225 Owens Harbor Rd.
Osteen, Florida 32764
Ph. (352) 636-5569
Fax (407) 328-8694
goempel@earthlink.net

Transmitted VIA Electronic Format

August 5, 2010

Subject: Proposed renovation to existing buildings.

Owner: Bob Garriques

Dear, Bob,

JGF will provide all labor, material, equipment, supervision and incidentals required to complete the renovation work associated with the above referenced project as detailed below:

Scope of Work Phase 1 Buildings 310 & 312 respectively

- 1 Exterior cleaning and pressure washing to walls, soffit, decks, picket fence and railings. (Pre- treat with mold prevention detergent).
 - 2 Remove and replace areas of rotten fascia, soffit and siding east building.
 - 3 Pre-pair existing building to receive new latex paint to include but not limited to scraping, sanding and caulk removal.
 - 4 Painting to include but not limited to priming as necessary, caulking, apply new latex paint to exterior walls, soffit, fascia, decks, hand rails, spindles and picket fencing.
 - 5 Pressure wash and re-paint 10x12 storage shed.
 - 6 Remove and replace 2 small windows 24"x24" each on east side of east building.
 - 7 Provide all supervision, barricading and cleanup associated with our work.
- Lump sum pricing: \$9,550.00

Scope of Work Phase 2

- 1 Remove and dispose of approximately 200 lineal ft. of existing wood fence.
 - 2 Supply and install approximately 200 lineal ft. of new white vinyl fence 6ft. tall.
- Lump sum for Phase 2 6,300.00

Exclusions to date

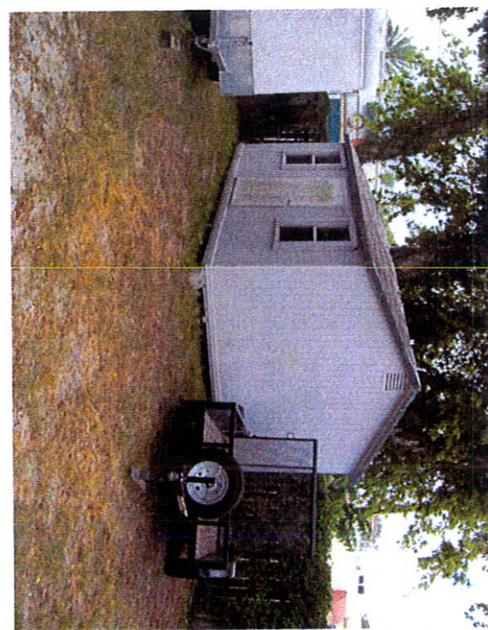
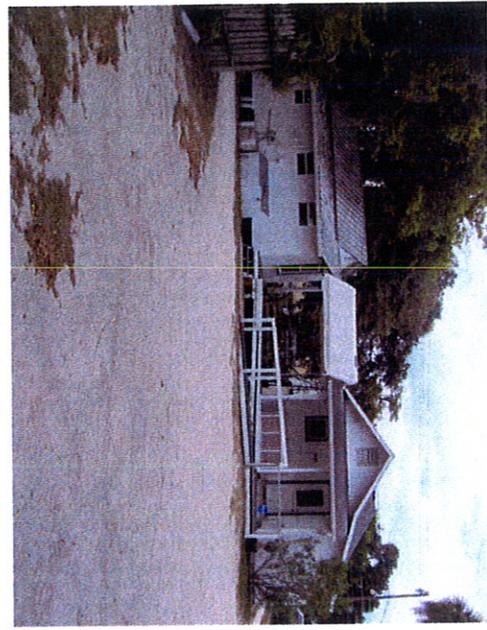
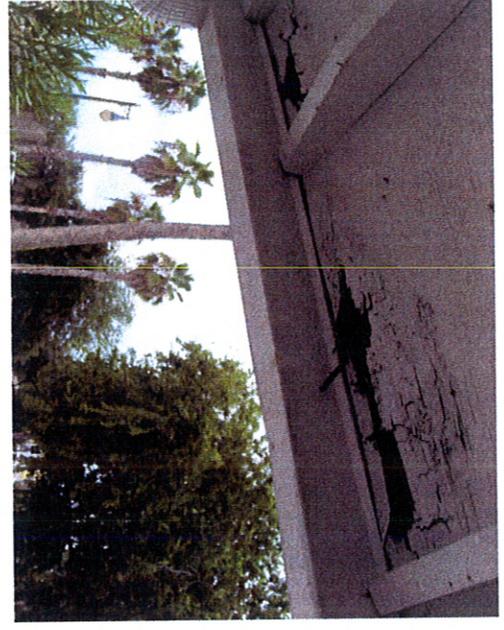
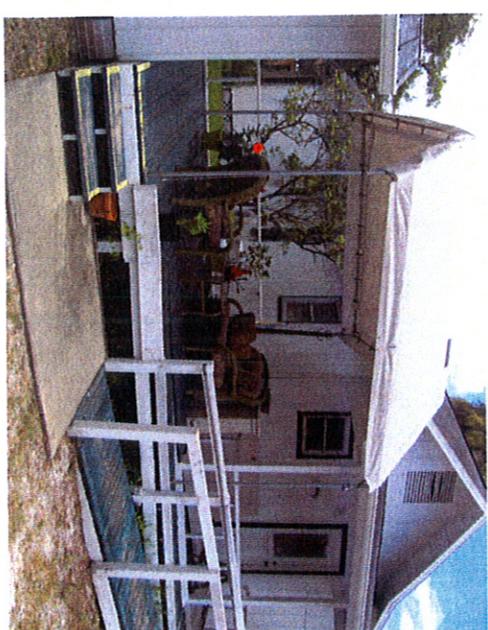
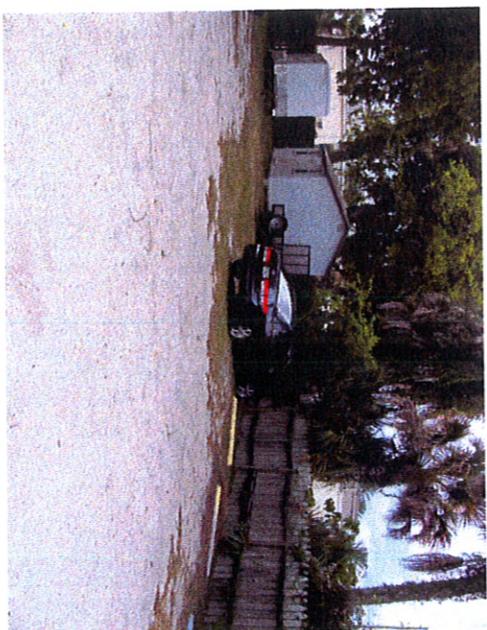
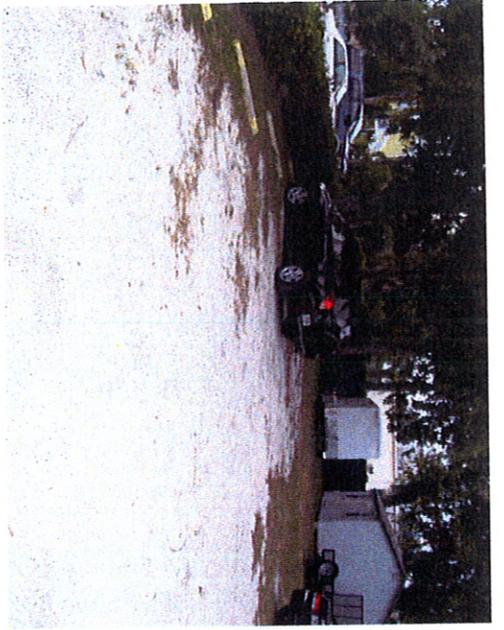
- 1 Permits, fees.
- 2 Any work not outlined in this proposal

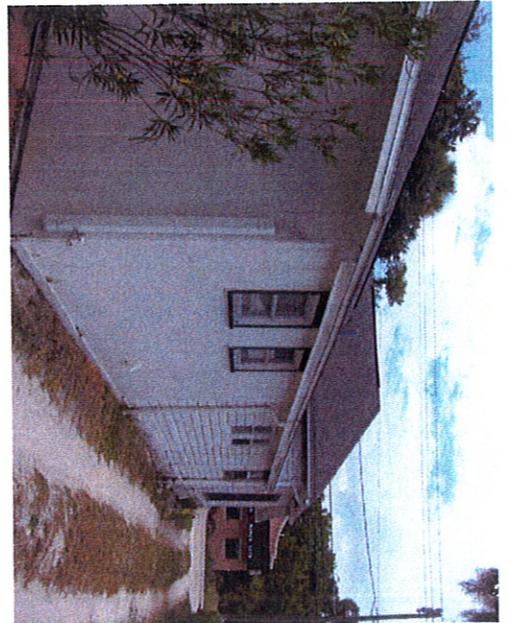
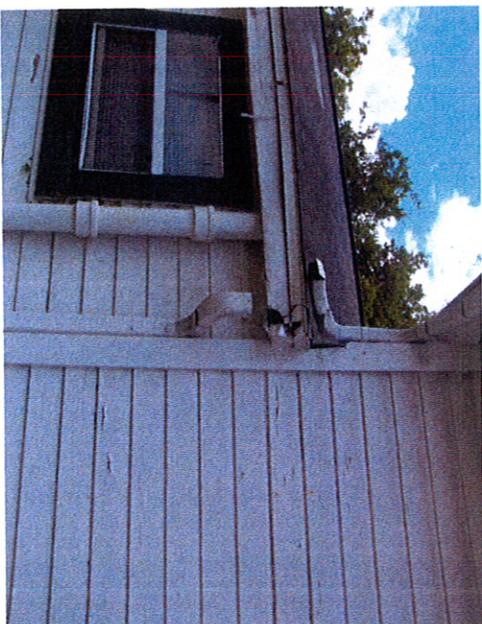
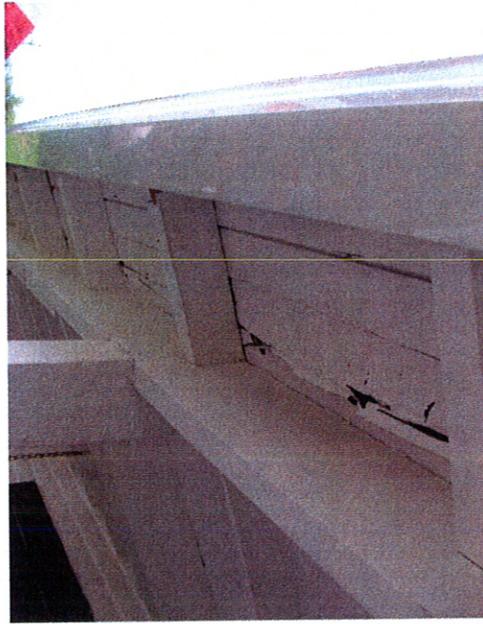
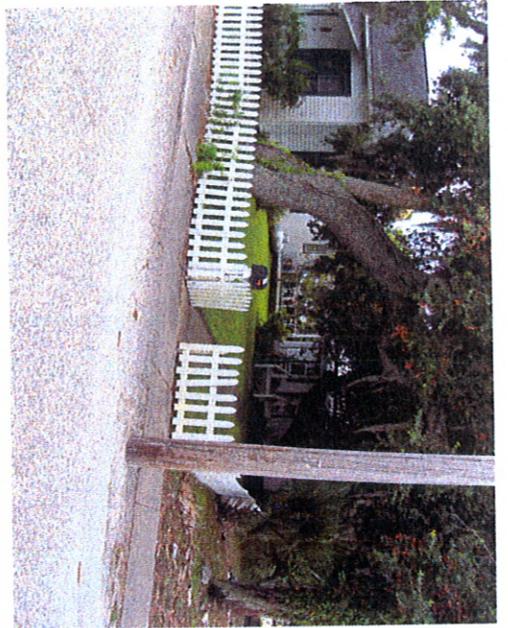
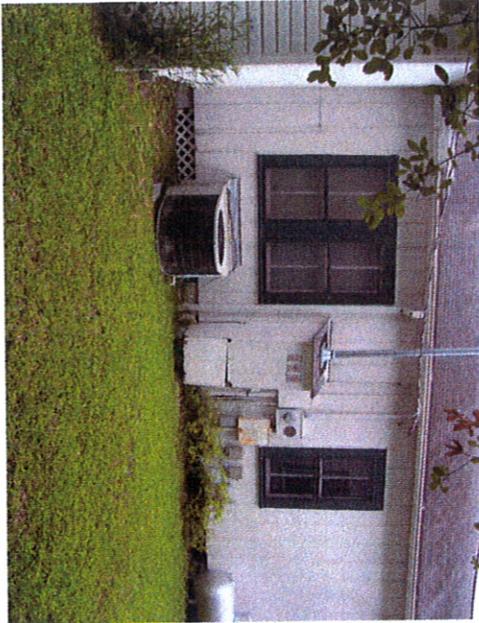
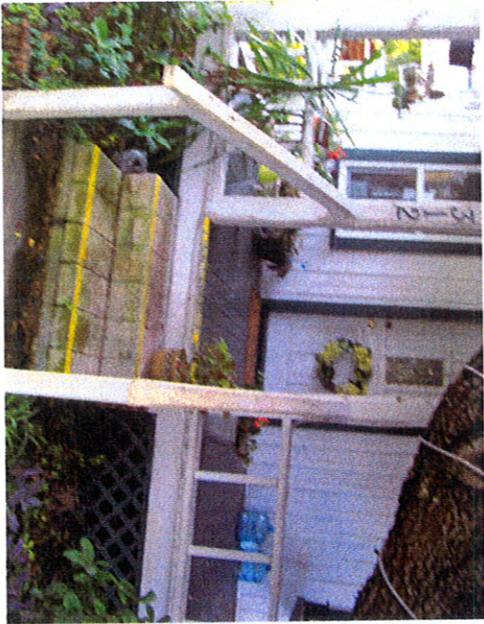
Should you have any questions with this proposal please feel free to contact me at (352) 636-5569.

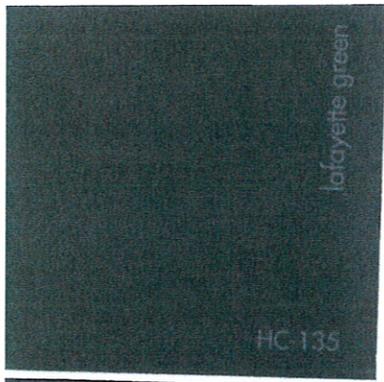
Sincerely,
Jim Goempel Footings, Inc.
Jim Goempel

SUMMARY OF SCOPE OF WORK TO BE PERFORMED
310-312 Julia Street, New Smyrna Beach, Florida 32168

1. Pressure wash, caulk, paint entire exterior of both buildings and shed, including ramps and decks and picket fence
2. Replacing 2 small windows on the east side of 310 Julia Street
3. Replacing rotted wood in eaves and soffits, etc
4. Replacing and repairing lattice around base of buildings
5. Replace fence on west and south side of property

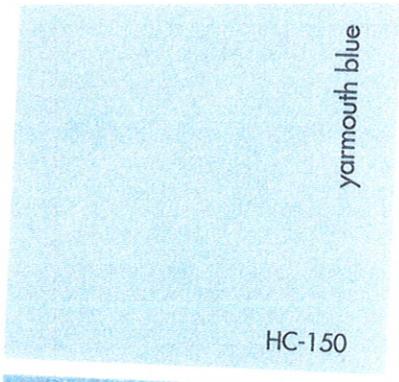






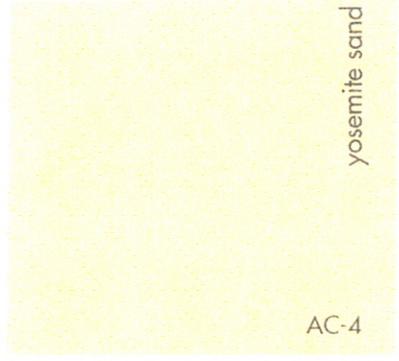
lafayette green

HC-135



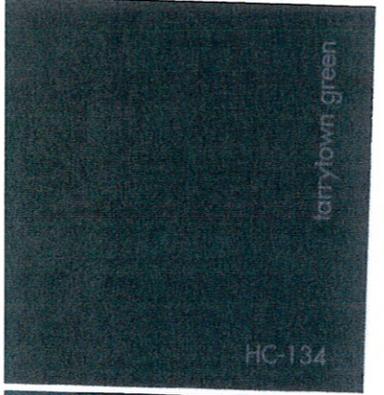
yarmouth blue

HC-150



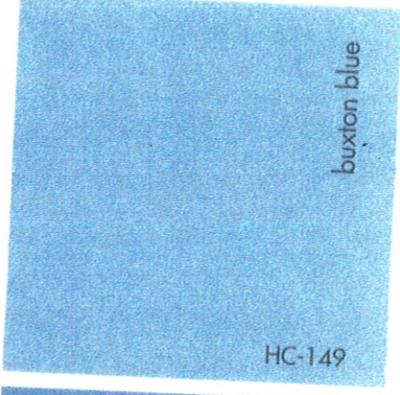
yosemite sand

AC-4



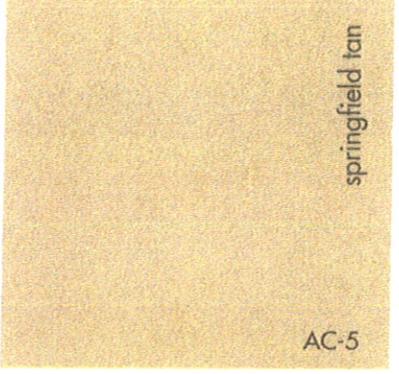
tarrytown green

HC-134



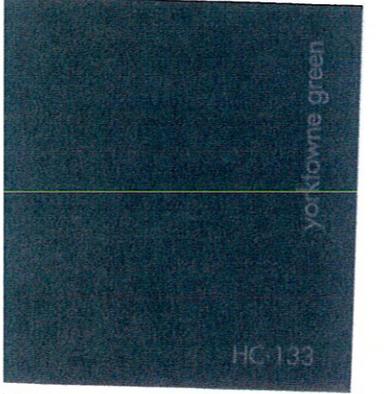
buxton blue

HC-149



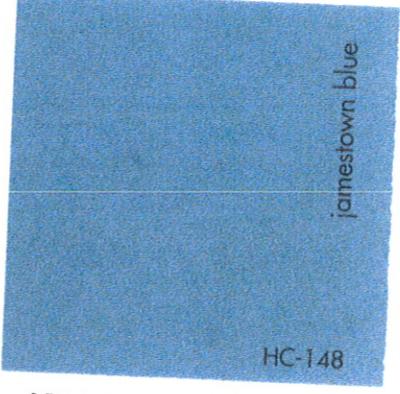
springfield tan

AC-5



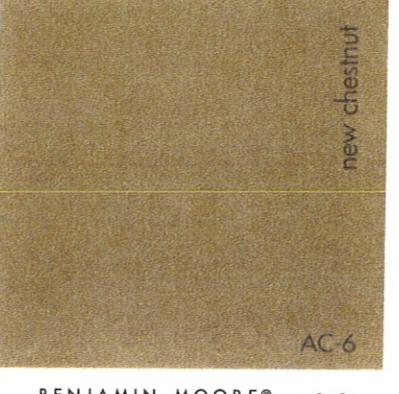
yorktowne green

HC-133



jamestown blue

HC-148



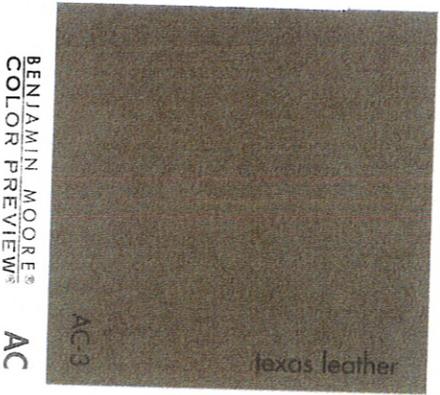
new chestnut

AC-6

BENJAMIN MOORE®
COLOR PREVIEW® HC

BENJAMIN MOORE®
COLOR PREVIEW® HC

BENJAMIN MOORE®
COLOR PREVIEW® AC



texas leather

AC-3



berkshire beige

AC-2



coastal fog

AC-1

BENJAMIN MOORE®
COLOR PREVIEW® AC

BENJAMIN MOORE®
COLOR PREVIEW®

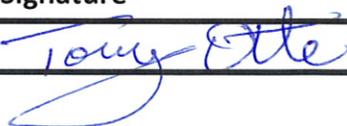
RM

antique white

atrium white

white dove

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: September 8, 2010		
Action Item Title: Commercial Impact Fee Assistance Grant – 600 E. Third Ave.		
Agenda Section: Consent <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input type="checkbox"/>		
Summary Explanation and Background The CRA approved a Commercial Property Improvement Grant for this address at their August 4, 2010 meeting. One task in that scope of work includes a 577 square foot addition on the west side of the building, which would trigger City of New Smyrna Beach Impact fees estimated in the amount of \$4,519.14 (see attached impact fee calculation form).		
Recommended Action/Motion: Staff recommends approval.		
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account: If approved, the funds for this application would come out of the FY 2010/11 budget, account number 120.51502. 583002, which has a balance of \$25,000.		
Exhibits Attached: 1. Package submitted by the applicant		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

**MARK H. RAKOWSKI, AICP
LAND PLANNING CONSULTING**

REACH YOUR PROPERTY GOALS

August 15, 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 Impact Fee Assistance Program Application package including the following:

1. This cover letter;
2. Completed application form;
3. Letter from Mr. Heath authorizing me to represent him in this application;
4. Written estimate of Impact fees;
5. Supporting Data Checklist;
6. Appendix A, which provides a summary on how the Supporting Data Checklist is met;
and
7. Site plan and elevation Drawings.

Please let me know if you have any questions about this application package or need any additional information. Also, please direct all correspondence to me.

On behalf of Mr. & Ms. Heath and myself I would like to thank you for your time and consideration in this matter.

Sincerely,



Mark H. Rakowski, AICP
Land Planning Consulting



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



CRA COMMERCIAL IMPACT FEE ASSISTANCE PROGRAM
 (City of New Smyrna Beach Building Department or Transportation Impact Fees ONLY)

Applicant Name: Mark H. Rakowski

Mailing Address: 822 E 8th Ave, New Smyrna Beach
FL 32169

Business Name: Heath's Natural Foods, Inc.

Property Owner: Maria + Tom Heath

Property Address: 600 E. Third Avenue, New Smyrna
Beach FL 32168

Contact Person: Mark Rakowski

Applicant Telephone Number: 386 690 3880

E-Mail Address: MRakowski@CFL.net.com

Total Amount of Impact Fees: \$4519.14

- **Written Estimate of Impact Fee Received**
- **Supporting Data Checklist must be included with application.**
- **Application must be submitted within 30 days of permit application or business tax receipt application.**
- **Application will not be reviewed without all supporting data.**

I hereby submit the attached estimate and supporting documents for the proposed project and understand that the CRA must approve this application. I further understand that I must maintain a valid Business Operation at the subject location for a minimum of three (3) years from receipt of CRA Impact Fee Assistance.

Mark H. Rakowski
Print Name

Mark H. Rakowski
Signature of Applicant

8-15-10
Date

CITY OF NEW SMYRNA BEACH

IMPACT FEE CALCULATION FORM

RESIDENTIAL PROPERTY

(PIF)	LAW ENFORCEMENT	=	\$ 277.54 X # UNITS =	\$ <u>277.54</u>
(FIF)	FIRE/RESCUE	=	\$ 299.61 X # UNITS =	\$ <u>299.61</u>
(PRIF)	PARKS/RECREATION	=	\$ 131.28 X # UNITS =	\$ <u>131.28</u>
<u>TOTAL FEE DUE</u>				\$ <u>708.43</u>

COMMERCIAL PROPERTY

(PIF)	LAW ENFORCEMENT	=	\$2.23 X <u>890</u> S.F. =	\$ <u>1984.70</u>
(FIF)	FIRE/RESCUE	=	\$.45 X <u>890</u> S.F. =	\$ <u>400.50</u>
<u>TOTAL FEE DUE</u>				\$ _____

RESIDENTIAL TO COMMERCIAL

(PIF) LAW ENFORCEMENT	=	\$ 2.23 X _____ S.F. =	\$ _____
LESS CREDIT FOR RESIDENTIAL			\$ _____
<u>TOTAL LAW ENFORCEMENT</u>			= \$ _____

(FIF) FIRE/RESCUE	=	\$.45 X _____ S.F. =	\$ _____
LESS CREDIT FOR RESIDENTIAL			\$ _____
<u>TOTAL FIRE/RESCUE</u>			= \$ _____

TOTAL PARKS/LAW/FIRE FEE DUE	\$ _____
TOTAL TRANSPORTATION FEE DUE	\$ <u>2133.94</u>

PERMIT: _____	TOTAL FEES DUE	\$ <u><u>4519.14</u></u>
---------------	-----------------------	--------------------------

ADDRESS: _____

CONTRACTOR: _____

(Parks/Fire/Law Effect 11/22/05)
(Transportation Effect 2/19/07)
Revised 10/1/08

FOR INFORMATIONAL PURPOSES ONLY

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,

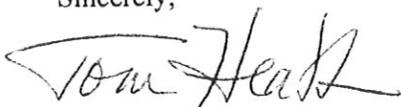
This letter is regarding applications for Heath's Natural Foods, Inc. Community Redevelopment Agency grants.

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.

Appendix A
Supporting Data Checklist Summary

Facilitates the proper balance of commercial enterprises to create a more diversified business environment

Mr. & Ms. Heath operate a retail store selling natural foods, which is a growing sector in the retail market. Their immediate goal is to provide more space to sell additional quality prepared heath foods for take-out consumption. **See attached site plan.** If the City's parking requirement can be met in the future the Heath's would like to use the additional retail space to provide some seating for consumption on premises.

Encourages community based, individually owned, businesses

Mr. & Ms. Heath have owned this business for many years. Prior to their ownership the business was owned by other family members. The business was originally operated on Flagler Avenue, then moved to the Indian River Shopping Center in the 1980s and relocated to the current site in early 2000s as the need for additional space became apparent. This is a great example of a community based, individually owned business.

Encourages quality construction projects that increase the tax base within the CRA area

The Heath's building uses quality materials (stucco over concrete block) and is beautifully landscaped. The proposed construction includes dressing up the south front façade to include a porch. The addition of approximately 600 square feet of retail space and the approximately 280 square foot front porch will certainly increase the tax base within the CRA district. **See attached elevation drawings.**

Enhances the pedestrian friendly atmosphere of the business districts within the CRA area

A major component of the new construction is the addition of a front deck and awning to give the appearance of a front porch. **See attached drawings.** There will be a sidewalk leading from the parking spaces in the front to the front porch to provide a more inviting pedestrian feel to the property. If additional parking spaces can be provided in accordance with City regulations seating will be provided on the front porch so that casual eating and drinking can be facilitated on the front porch when the weather permits.

Provides for expanded periods of operation beyond normal business hours

There are numerous full service restaurants in the vicinity of Heath's Natural Foods, Inc. An eventual goal would be to provide an additional spot for after-dinner drinks on cool evenings for patrons of the nearby eating establishments. This would extend the hours of operation and provide a livelier street during the evenings.

7. Applicant is responsible for obtaining any permits required to construct the project.
8. Upon CRA approval, CRA staff will provide the funding upon submittal of proof of payment of City Impact Fees by the business owner/applicant; or will allow payment directly to the City Building Department upon proof of payment of non-impact fees.

Supporting Data Checklist for Program Applications

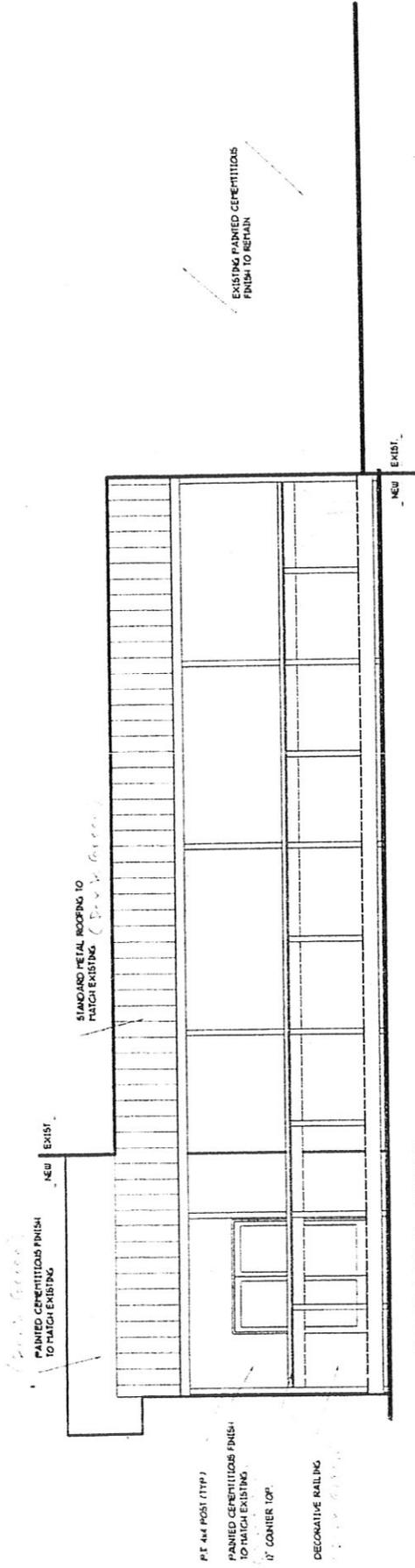
Selection Consideration (Please check all that apply)

- Facilitates the proper balance of commercial enterprises to create a more diversified business environment
- Encourages community based, individually owned, businesses
- Encourages quality construction projects that increase the tax base within the CRA area
- Enhances the pedestrian friendly atmosphere of the business districts within the CRA area
- Promotes the re-use of vacant or underutilized segments of the existing building stock
- Provides for expanded periods of operation beyond normal business hours

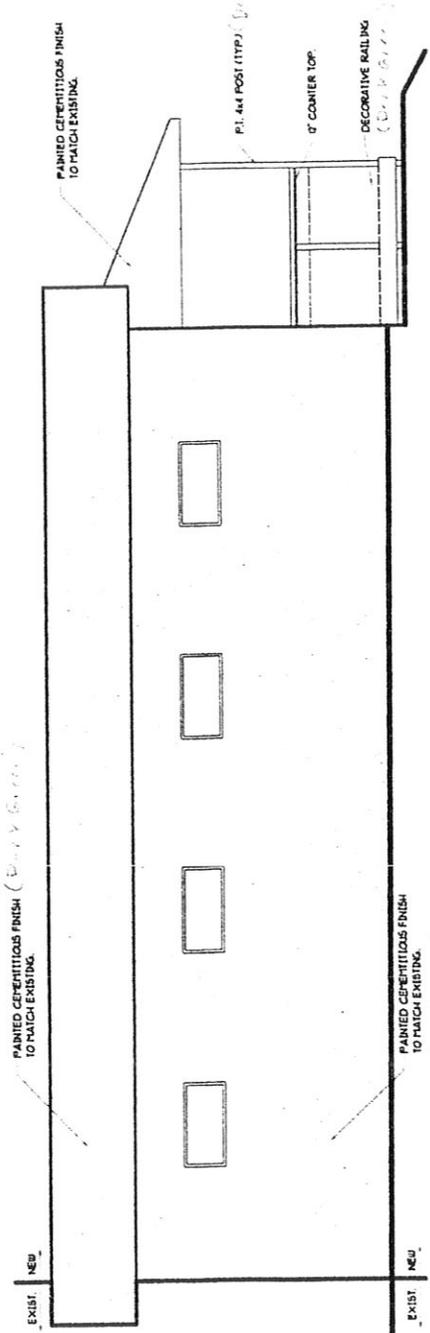
Location of Business:

600 E. Third Avenue

Addendum A: Please attach additional information that demonstrates the qualifications of the proposed project application.

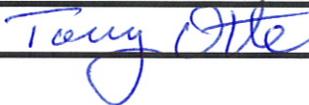


SOUTH ELEVATION



WEST ELEVATION

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: September 8, 2010		
Action Item Title: Commercial Property Improvement Grant: 113 S. Orange Ave.		
Agenda Section: Consent <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input type="checkbox"/>		
Summary Explanation and Background		
<p>The applicant, Panheads Pizza, has submitted a scope of work for an outside seating Patio area on the north side of 113 S. Orange Ave, facing Canal Street (lot left vacant by demolition of fire damaged furniture store). The scope of work includes:</p> <p><u>Exterior renovation</u></p> <ul style="list-style-type: none"> • grading the lot, • pouring/stamping of concrete, • re-curbng the side entrance <p><u>Electrical Work</u></p> <ul style="list-style-type: none"> • running lines for security and landscape lighting <p><u>Landscaping</u></p> <ul style="list-style-type: none"> • installation of landscape buffer to include Palm Trees, Coquina rocks and sod <p><u>Awnings</u></p> <ul style="list-style-type: none"> • Installation of several sun sails to protect patio area <p><u>Screening</u></p> <ul style="list-style-type: none"> • Vinyl or wood fence to hide walk-in coolers <p><u>Design assistance and Permit Fees</u></p> <ul style="list-style-type: none"> • Engineer/Landscape Plans <p>The estimated total cost for the project is \$16,700 and the amount of grant assistance requested is \$8,350. Panheads Pizza is a newly established restaurant in the area and has received prior CRA grant assistance in form of a \$2,043 PIG and \$7,762 Impact Fee Assistance Grant.</p>		
Recommended Action/Motion:		
This application has received the necessary points to qualify for consideration and staff recommends approval.		
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:		
If approved, the funds for this application would come out of the FY 2010/11 budget, account number 12051502-583001, which has a balance of \$75,000.		
Exhibits Attached:		
1. Package submitted by the applicant 2. Score Sheet		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

113 S. Orange Street

Funding Evaluation

Did the 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/Improvement:

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 21



Scope Of Work

Project Name: Panheads Pizzeria Outside Patio Area
Project Manager: Felicia Engles
Date: 8/29/2010

Project: Adding Outside Patio Area on North Side of 113 S Orange St, New Smyrna Beach Fl.
Facing Historic Canal St.

Exterior Renovations:

- Grading 18' x 32' on north lot to prepare for concrete slab.
- Concrete Slab 16' x 30' poured and level
- Concrete Stamping and Staining
- Addition of Commercial Grade Storm Protection Door
- Recurbing side entrance to prevent entrance to side lot.

Electrical:

- Running electric lines under ground for security lighting and landscape lighting

Landscaping:

- Landscape Buffer including Palm Trees and Coquina Rocks
- Fill Space either sod or rocks outside perimeter of patio. 3' x 33' perimeter

Awning:

- Protect Patio and add appearance to lot with sun sails. Will need 2 or 3 sunshades to cover area of 18' x 32'. This will help against wind rain and sun.

Screening:

- Vinyl or Wood Fence to Screen back area to help hide the appearance of Walk in Coolers and Trash Receptacles. Fence measurements 18' w x 6' h

Design Assistance:

- Engineer Prepared Plans for entire project
- Landscape Prepared Plans

Permit Fees:

- City
- Engineer
- Contractor

Confidential

Document2

Last printed 8/31/2010 3:12:00 PM

Cost Estimate For Panheads Pizzeria Outdoor Patio

Concrete Slab – stamped/stained	\$2400
Electric	\$1500
Commercial Door	\$3200
Landscaping	\$1400
SunSails/Awnings	\$1500
Engineer	\$700
Contractor	\$5000
Zoning	\$500
City Fees	\$500

Total \$16,700



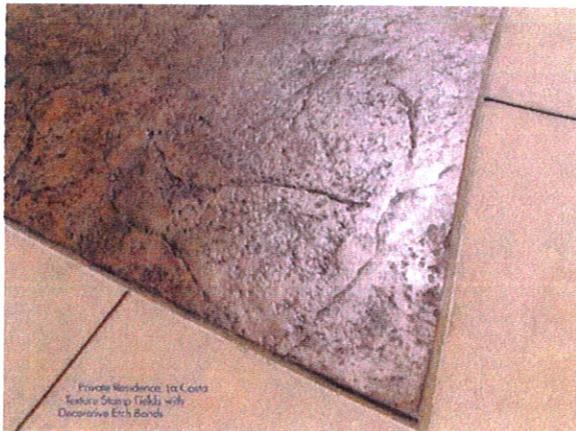
Samples of Paint Colors and Awning Materials:

Awning Sun Sails:

Fabric Material-**ASTM-E-84(A), NFPA-701-1999, and California Fire Marshall-13115 fire standard compliant fabrics and 316 stainless steel corner rings.**



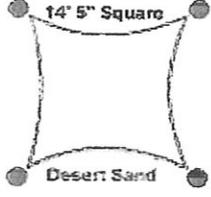
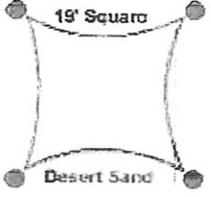
Concrete Stamp Concrete:



Shade Sails - Sizes and Prizes: Triangles

 <p>11' 6" Triangle Desert Sand</p>	 <p>16' 5" Triangle Desert Sand</p>	 <p>22' 4" Triangle Desert Sand</p>
\$55.00	\$109.00	\$199.00

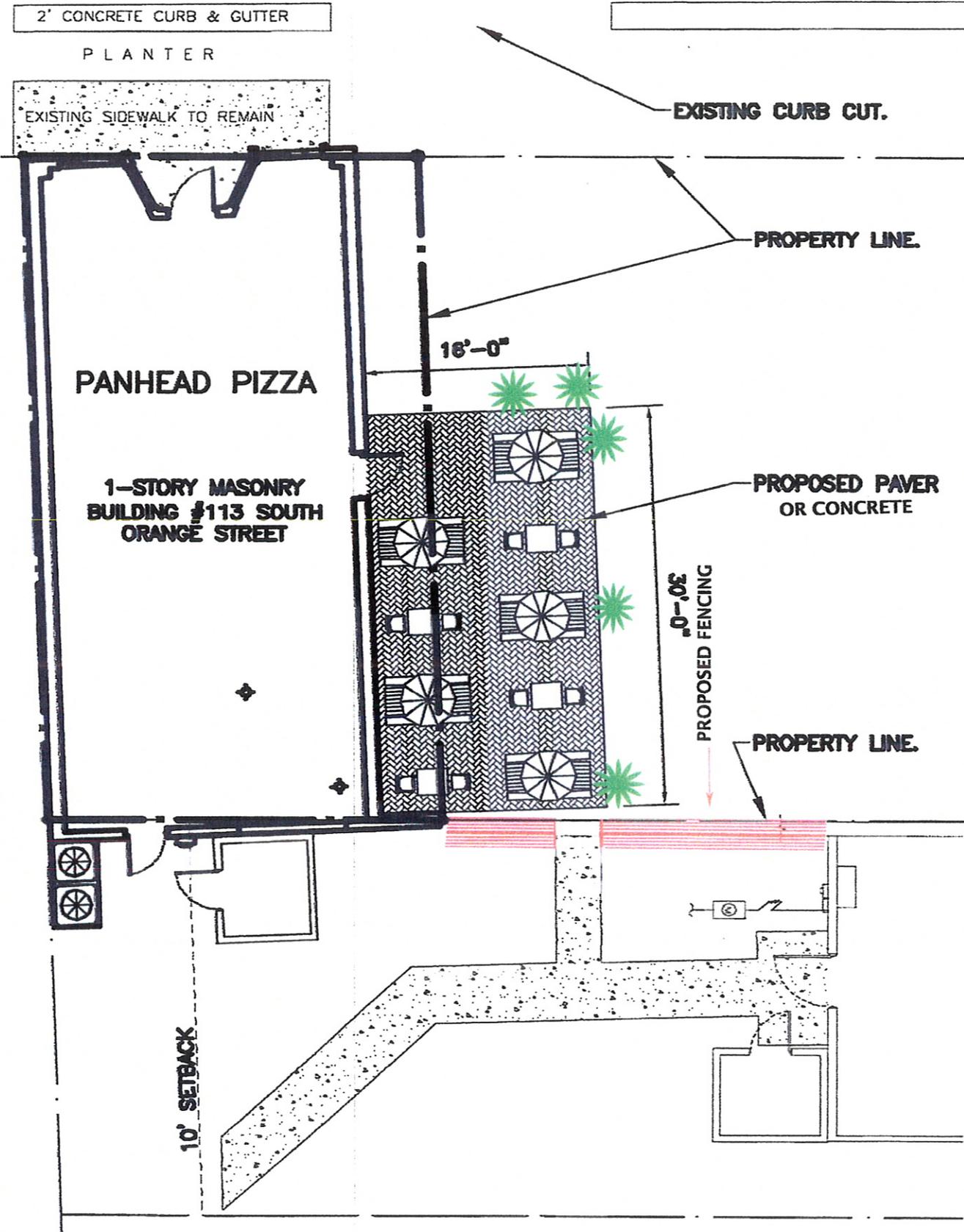
Shade Sails - Sizes and Prizes: Squares

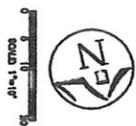
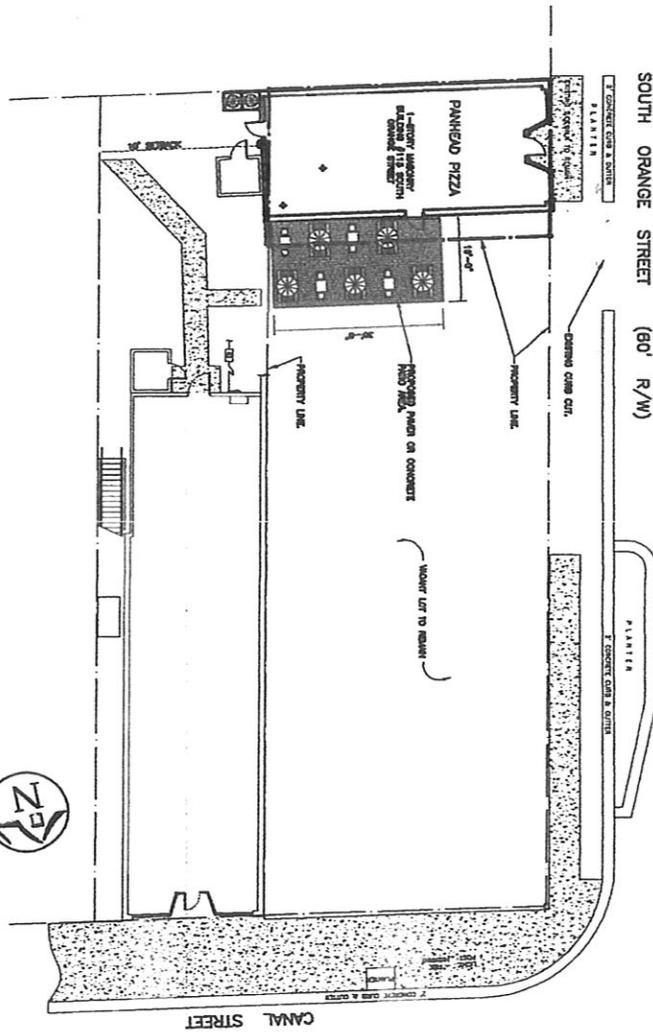
 <p>14' 5" Square Desert Sand</p>	 <p>19' Square Desert Sand</p>
\$175.00	\$225.00

Shade Sails - Sizes and Prizes: Rectangles

 <p>16' 5" x 9' 10" Rectangle Desert Sand</p>	 <p>19' 8" x 14' 5" Rectangle Desert Sand</p>	 <p>26' 3" x 19' Rectangle Desert Sand</p>
16' 5" x 9' 10"	19' 8" x 14' 5"	26' 3" x 19'
\$175.00	\$215.00	\$345.00

SOUTH ORANGE STREET (60' R/W)





ANDERSON-DIXON, L.L.C. These documents and their contents are the property of ANDERSON-DIXON, L.L.C. and are loaned only for the specific project noted on these drawings. Any reproduction, revision, or modification of these documents without the express written consent of ANDERSON-DIXON, L.L.C. is strictly prohibited.																	
SHEET NO. CVR-1	<table border="1"> <thead> <tr> <th>REV.</th> <th>DATE</th> <th>NOTES</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REV.	DATE	NOTES										Outdoor Patio For: PANHEAD PIZZA 113 SOUTH ORANGE STREET NEW SMYRNA BCH. FL 32168	RICHARD J. DIXON, P.E. PROFESSIONAL ENGINEER FL. REG.# 47544 102 SOUTH ORANGE STREET NEW SMYRNA BEACH, FL 32168 (386) 428-5834	 ANDERSON-DIXON, LLC ENGINEERING-PLANNING-DRAFTING PHONE: (386) 428-5834 • FAX: (386) 402-3781	DATE 8-28-10
	REV.	DATE	NOTES														
DRAWN: DSA CHECKED BY: RD PROJECT NO. 0710	CLIENT: JESSE & FELICIA ENGLES																

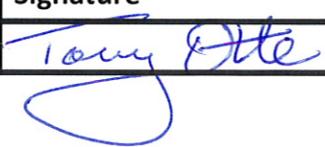
Soulie, Claudia

From: DRose7105@aol.com
Sent: Thursday, September 02, 2010 10:11 AM
To: Soulie, Claudia; Otte, Tony
Cc: fross_natural@yahoo.com
Subject: Rosedale/Panheads

I am the owner of the Panheads' pizza property located at 113 S. Orange Ave. and the contiguous property located at 426 Canal St. I am aware of Panheads' application for a CRA grant to facilitate the creation of outside dining as per rendering submitted. I approve and support their efforts in this endeavor.

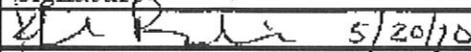
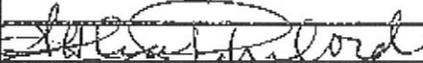
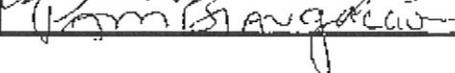
Dick Rosedale,
Landlord-owner

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: September 8, 2010		
Action Item Title: Flagler Ave. Seawall Presentation		
Agenda Section: Consent_____ Public Hearing_____ Special Items_____		
<p>Summary Explanation and Background</p> <p>At the May 2010 CRA meeting the CRA approved Quentin Hampton's Scope of Services and Engineering fee estimate for the Flagler Ave. Boardwalk, which covered professional services associated with preparing surveys, field investigations, plan, specifications and bidding assistance for improvements to the Flagler Ave. seawall.</p> <p>Quentin Hampton representatives will be at the CRA meeting to give a presentation on their report on the Seawall.</p>		
<p>Recommended Action/Motion:</p> <p>N/A</p>		
Funding Analysis: Budgeted If not budgeted, recommend funding account:		
<p>Exhibits Attached:</p> <p style="padding-left: 40px;">Agenda Item Summary from the May 25, 2010 City Commission Agenda</p>		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

AGENDA ITEM SUMMARY

Reset Form

Department Making Request: Public Works		
Meeting Date: 1 st Reading: May 25, 2010 2 nd Reading:		
Action Item Title: Flagler Avenue Boardwalk Project - Phase I in the amount of \$62,060		
Agenda Section: Consent <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input type="checkbox"/>		
<p>Summary Explanation and Background:</p> <p>At the December 2nd, 2009 City Commission Workshop, one of the ten priorities that were established by the Commission was the Flagler Avenue Boardwalk. A proposal from Quentin Hampton Associates, Inc., in the amount of \$204,600 was received for the following: (Attachment 1)</p> <p>1) Seawall assessment & design; 2) Boardwalk & breezeway assessment & restoration; 3) Establish annual maintenance budget; 4) Replace restroom & storage facilities; 5) Parking area upgrades & utility design 6) Site plan approval & permitting; 7) Bidding services; and, 8) Meetings & presentations</p> <p>At the CRA meeting on May 5, 2010, the CRA approved Phase I only, for the amount of \$48,560 (Attachment 2). Subsequently, additional scope of work for Phase I was identified to support the seawall assessment (Attachment 3), in addition, the Assistant City Manager has prepared a historical overview of the project (Attachment 4) and will be working to complete Phase I to plan for a public process on the overall vision for the facility (based on the costs and scope of work associated with the seawall repair/restoration).</p>		
<p>Recommended Action/Motion:</p> <p>Staff recommends approval of the CRA approved scope of \$48,560; plus, the geotechnical survey and printing costs of up to \$13,500, for a total cost of \$62,060</p>		
<p>Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommended funding account: under CRA (\$2 Million)</p>		
<p>Exhibits Attached:</p> <p>Proposal</p>		
Reviewed By:	Name	Signature
Department Director:	Khalid Resheidat	 5/20/10
Finance Director	Carol Rogers A. Philand	
City Attorney	Frank Gumme	
City Manager	Pam Brangaccio	
Commission Action:		

Regular Meeting - May 25, 2010

RICHARD W. FERNANDEZ, P.E.
MARK A. HAMPTON, P.E.
BRAD T. BLAIS, P.E.
DAVID A. KING, P.E.
ANDREW M. GIANNINI, P.E.

Quentin L. Hampton Associates, Inc.
Consulting Engineers
P.O. DRAWER 290247
PORT ORANGE, FLORIDA 32129-0247

TELEPHONE: (386) 761-8810
FAX: (386) 761-3977
EMAIL: qha@qha.com

May 3, 2010

Khalid Reshledat, P.E.
Public Works Director
City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, FL 32168

**CITY OF NEW SMYRNA BEACH
FLAGLER AVENUE SEAWALL, BOARDWALK AND PARKING AREA
SCOPE OF SERVICES AND FEE ESTIMATE**

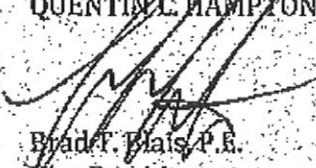
Dear Khalid,

In accordance with your request, we are pleased to offer the enclosed Scope of Services and Engineering Fee Estimate for the above referenced project. As discussed, the scope of services covers professional services associated with preparing surveys, field investigations, plans, specifications and bidding assistance for improvements to the Flagler Ave. seawall, boardwalk, restrooms and parking areas.

The City desires to contract for professional services necessary to rehabilitate the seawall, upgrade the boardwalk, repair/replace the breezeway, replace the restrooms and improve the parking lot. Our scope includes surveys, planning, meetings, bid documents and bidding assistance for the above referenced improvements. We have engaged David Dacar, AIA to serve as the architect. A copy of the proposal from Williamson Dacar Associates accompanies this submittal. Other sub-consultant allowances are also included for survey and geotechnical investigations.

Please review the attached and if acceptable, forward to the appropriate parties for approval. Thank you for this opportunity to be of service to the City of New Smyrna Beach. If you have additional questions, do not hesitate to call.

Respectfully,
QUENTIN L. HAMPTON ASSOCIATES, INC.


Brad T. Blais, P.E.
Vice President


Andrew M. Giannini, P.E.
Project Engineer

BTB/AMG:ah/el
Enclosure

**SCOPE OF SERVICES AND FEE ESTIMATE
FLAGLER AVENUE SEAWALL, BOARDWALK AND PARKING AREA
CITY OF NEW SMYRNA BEACH**

General – This scope of services and Fee Proposal is in conformance with the Continuing Services Agreement between the City of New Smyrna Beach (City) and Quentin L. Hampton Associates, Inc. (QLH).

A meeting was held with City staff and the CRA Director to determine the scope of required improvements at the Flagler Avenue Boardwalk and Parking Area. It was determined that the City desires to: rehabilitate the seawall, restore the breezeway, replace the restrooms and upgrade all of the parking areas. Based upon a preliminary review of the required project components, the estimated total construction cost is approximately \$1.7 M.

Scope of Work – QLH will address the following project components:

1. Seawall Assessment and Design – Evaluate the depth and general condition of existing seawall and make recommendations for repair. Prepare plans and specifications for seawall repairs and upgrades. Address handicap access, aesthetic upgrades and lighting.

2. Boardwalk and Breezeway Assessment and Restoration:

Phase 1 - Evaluate structural and architectural elements of existing breezeway. This includes determining the remaining 'useful life' of wood structure and identifying necessary structural and electrical components necessary to restore the breezeway. Prepare a cost benefit analysis as a basis for determining whether to rehabilitate the existing structure or demolish and replace. The breezeway evaluation should address roofing, coatings, fasteners, lighting, electrical and related code compliance issues.

Phase 2 – Provide plans and specifications for the required work to the boardwalk and pavilion structure as determined from the Phase 1 survey. The plans shall include basic architectural and structural engineering design as may be required, including electrical, lighting, and video security layout. New walkways to interface between this area and the parking lot shall be included in the design.

3. Establish Annual Maintenance Budget - Prepare an itemized annual maintenance cost estimate for the City to use as a budgeting tool to facilitate future maintenance of the boardwalk and related facilities.

4. Replace Restroom and Storage Facilities – Prepare demolition and construction plans for new restroom facilities to replace the existing restrooms. Plans should include all disciplines including structural, architectural, mechanical, electrical and utility plans.

5. Parking Area Upgrades and Utility Design – Prepare conceptual and final construction plans for improvements to the parking areas. Improvements will include landscape islands, drive aisles and delineation of parking spots. Address drainage issues and evaluate the potential for creating a skateboarding area using pre-manufactured equipment.

Regular Meeting - May 25, 2010

6. Site Plan Approval and Permitting - Obtain all requisite site plan approvals from the CRA and planning department. Assist the City in obtaining all requisite ACOE and/or FDEP permits.
7. Bidding Services - Provide bidding services to include plan distribution, pre-bid meeting, answer contractor questions during the bid period, issue addenda, attend bid opening, evaluate bidder's qualifications and prepare award recommendation.
8. Meetings and Presentations - Attend up to (3) design meetings with City staff, (2) CRA meetings and (2) City Commission meetings. Prepare presentations and cost estimates as necessary at each of the referenced meetings. Prepare agendas and meeting minutes of all meetings.

Exclusions - The following work activities are not included in this scope of work:

- Phase 1 and Phase 2 Environmental Assessments
- Property acquisition, easements and/or legal services
- Construction phase services
- Permit Application Fees

Proposed Fees - QLH and WDA will complete the work for estimated fees as follows:

Item	Description	Amount
1	Seawall Assessment and Design	\$48,560
2	Boardwalk & Breezeway Assessment & Restoration	\$33,820
3	Establish Annual Maintenance Budget	\$2,500
4	Replace Restroom and Storage Facilities	\$35,240
5	Parking Area Upgrades and Utility Design	\$40,380
6	Site Plan Approval and Permitting	\$14,500
7	Bidding Services	\$3,500
8	Meetings and Presentations	\$12,600
9	Allowances (Geotechnical -\$7,500, Survey-\$5,000, Printing-\$1,000)	\$13,500
Total Estimated Fees		\$204,600

QLH fees are to be billed on a lump sum basis. Billing of allowances items are to be billed on an actual out-of-pocket cost basis or actual hours expended based on applicable hourly rates in effect at the time of work.

The terms outlined above are hereby agreed to

City of New Smyrna Beach

Pamela Brangaccio, City Manager

Date



Meeting May 25, 2010

May 1, 2010

Mr. Brad T. Blais, P.E.
Quentin L. Hampton & Associates Consulting Engineers, Inc.
P. O. Drawer 290247
Port Orange, Florida 32129-0247

Re: Flagler Avenue Seawall, Boardwalk and Parking Area Improvements, New Smyrna Beach, Florida

Dear Brad:

Williamson Dacar Associates, Inc. (WDA) in association with Quentin L. Hampton & Associates Consulting Engineers, Inc. (QLH) would be pleased to provide the required architectural, structural engineering and MEP services for the above referenced project as further described below.

As per our recent meeting, it is my understanding that the scope of services for this project is to be in conformance with the continuing services agreement between your firm (QLH) and the City of New Smyrna Beach, and the scope of work of this project is to include repairs and renovations to the Flagler Avenue boardwalk area, its public rest rooms, parking area, and seawall. Sheet S-1 is attached showing the general area of the project's scope of work.

Williamson Dacar Associates' scope of service for this project shall consist of the required architectural and structural and MEP engineering design and summary reports and presentation materials, preparation of plans and specifications for permitting, bidding assistance, and standard construction administration for the various components of the project as described below.

The project shall be divided into two major parts. Phase I shall provide an investigative and quantitative survey to determine the existing conditions of the components of the project and to better define the scope of work required for Phase II of the project, such as whether to repair or replace any specific structure or associated component parts. Phase II shall utilize the information obtained from Phase I to be incorporated into final construction documents.

PHASE I: A/E/MEP INVESTIGATIVE ANALYSIS OF BUILDING/STRUCTURAL ELEMENTS
(QLH shall provide all data pertaining to any testing or subsoil investigations, as may be required)

1. Seawall:
 - Determine the depth of the existing seawall.
 - Evaluate the general conditions as to repair or encasement of the wall with a new structure.
2. Pavilion Boardwalk and Pavilion Structure:
 - Determine the remaining life of the wood structure with proper repairs versus its complete replacement. This evaluation shall address all structural components and claddings, electrical components, etc. and determine the relative cost ratio of repairs versus replacement.
3. Adjacent Rest Room Facilities (south of the boardwalk):
 - Determine the condition and quantities of the physical facility (# of toilets, showers, size, etc.)
 - Provide an estimate of the remaining life of the existing components with ADA, EPA, etc. considerations.
 - Determine the relative cost ratio of required repairs versus replacement with new.

Continued . . .



Quentin L. Hampton & Associates Consulting Engineers, Inc.
Re: Flagler Avenue Seawall, Boardwalk and Parking Area Improvements
May 1, 2010
Page 2 of 2

4. Storage Building (adjacent to existing rest rooms):
 - Determine the condition of the existing facility, including the building structure and integral systems (electrical, mechanical, etc.)
 - Provide an estimate of the remaining life of the existing components and any code compliance issues that may exist.
 - Determine the relative cost of repairs versus replacement with new.

PHASE II: CONSTRUCTION DOCUMENTATION – Architectural, Structural and MEP Engineering only

1. **SEAWALL:** WDA shall provide plans and specifications for the work required on the seawall. The basic design shall provide for a new handicap access ramp to the beach, including handrails and “sea turtle approved” lighting. Ramp design shall take into consideration storm surge effects from the ocean and shall be designed to resist such hydraulic forces.
2. **BOARDWALK AND PAVILION STRUCTURE:** WDA shall provide plans and specifications for the required work to the boardwalk and pavilion structure as determined from the Phase I survey. The plans shall include basic architectural and structural engineering design as may be required, including electrical, lighting, and video security layout. New walkways to interface between this area and the parking lot shall be included in the design.
3. **ADJACENT REST ROOMS AND STORAGE FACILITIES:** WDA shall provide plans and specifications for work in these areas as required and as derived from the results of the Phase I survey.

Upon completion of the approved construction documents, WDA shall develop a maintenance plan with a current estimated budget in order to provide the City of New Smyrna Beach with a guide for required scheduled maintenance for the newly finished structures and facilities.

WDA shall provide support services and assistance in conjunction with QLH during plan review and permitting and bidding processes with respect to their architectural, structural and MEP design work, including meetings and presentations applicable to their scope of work.

Williamson Dacar Associates, Inc. would appreciate the opportunity to work with Quinton L. Hampton and Associates on this project for the City of New Smyrna Beach.

Cordially,

David W. Dacar, RA, EI
WILLIAMSON DACAR ASSOCIATES, INC.

Attachment

Regular Meeting - May 25, 2010

City of New Smyrna Beach
Community Redevelopment District
MEMORANDUM

TO: Pam Brangaccio, City Manager
FROM: Tony Otte, CRA Director
DATE: May 6, 2010
RE: Flagler Boardwalk Project: Quentin L. Hampton Proposal dated May 3

At their regular meeting yesterday the CRA reviewed the proposed scope of work from Quentin L. Hampton Associates for the Flagler Boardwalk Project. The proposed scope of work listed 9 tasks, with "Scawall Assessment and Design" listed as Task 1 at a cost of \$48,560.

The CRA recommended approval of Phase I (only) at this time. This action recognizes that the project needs to move ahead expeditiously, beginning with:

- the identification of the problems with the scawall by qualified professionals; and
- the creation of an engineered design, and an estimate of the cost, to correct the scawall problems.

This work needs to be done before moving forward on the other elements of the proposal.

During the CRA's discussion of this project it was noted that the CRA Master Plan Update recognizes this project as the priority project for tourism development. The Plan Update includes an artist's rendering of a proposed project at this site (pp 38 and 53 of the Project Report of the Master Plan Update).

Planning for this project can continue after Task One of the May 3 proposal is completed. At that time the CRA wishes to hold a public meeting as a part of the planning effort.

Regular Meeting - May 25, 2010

MEMORANDUM

To: Pam Brangaccio, City Manager

From: Khalid Resheidat, Assl. City Manager



Subject: Flagler Ave Boardwalk

Date: May 18, 2010

At the CRA Board meeting on 5/4/10, the board selected to choose only one of the activities in the proposal submitted by Quentin Hampton & Associates. The activity was the assessment of the seawall and design. However, in their proposal under item #9 "the task description" (please see attached), they included an allowance for geotechnical, surveying and printing at a cost of \$13,500.00. This item is needed in order to investigate the subsurface of the brick area and the evaluation of the seawall, the survey and any printing needed.

Please add this to the item for the boardwalk to be presented to the City Commission during their regular meeting on 5/25/10. Keep in mind we only pay for services provided. Therefore, we might not use all the funds allocated for this task.

Should you have any questions or concerns regarding this issue, please let me know. Thank you.

Cc: Johnny Bludsoe, City Clerk
Tony Otte, CRA Director

Regular Meeting - May 25, 2010

MEMORANDUM

To: Pam Brangaccio, City Manager

From: Khalid Resheidat, Asst. City Manager *KAR*

Subject: Flagler Ave Boardwalk

Date: May 14, 2010

The boardwalk at Flagler Ave was built in 2000. Since then we have had several maintenance issues with the structure and the boardwalk area. In the hurricanes of 2004, the handicap ramp was totally damaged in addition to a sink hole behind the seawall with the brick walkway at the north end. At the time, the city crew filled the sink hole with approximately 35 c.y. of flowable fill. There after another sinkhole developed in the south side of the structure. Again the city crew filled the sinkhole with 10 yards of flowable fill. The handicap ramp was repaired and then got damaged again by the storms and waves thereafter. Since then the handicap ramp was removed completely.

When the structure was built, landscaping was part of the original design. Palm trees and other plants were used. Palm trees were planted on the east section of the structure between the structure and the seawall. The palm trees were planted within the brick walkway using tree grates. The palm trees did not tolerate the environment and died. They were replaced but then the tree grates were causing some of the sink holes that developed early on. Therefore, it was decided to remove the palm trees and cap off the tree grates to prevent any further settlement or sink holes. Also, a sink hole has developed in front of the life guard station where the county maintains this area. The CRA worked on repairs at the boardwalk and repaired the sink hole in front of the life guard station.

The structure itself has experienced film of rust like early on. All metals within the structure suffered the same issue. Since then we have developed several solutions to address this issue. At one point we have come across a product called "Adsil" where it's three chemical products applies on the metals such as nuts, bolts, washers, brackets, nails, etc. and this product will prevent this film of rust from developing. A test sample was done and the test area was cleaned with a wire brush. The result was satisfactory and appealing. We moved forward by hiring a company to address the entire boardwalk. After the company was done, we were not satisfied with the end result. The difference with the test and the actual work was the cleaning of the metals with a wire brush. This was not done. Therefore, we did not pay the contractor the \$4,600 which was the total amount of the contract.

Thereafter, we put the project out to bid and we received one (1) bid with a cost of \$50,000. The CRA and the City Commission directed staff to re-bid. We re-bid the project and no bids

Regular Meeting - May 25, 2010

were received at the time. Since then the CRA has contracted with a company to do a design-build to address the seawall and the structure. Again that process failed since the company let the vice president of the company who was responsible for the project go and he was no longer working for the company.

At the City Commission Workshop December 2nd, 2009, the City Commission listed the Flagler Boardwalk project as one of their Ten Top priorities. The City Manager directed staff to develop an action plan. An action plan was developed by the former CRA Director.

Under the new action plan, we have selected one of the firms under continuing contract to address the following:

1. Assessing the seawall and design of new seawall
2. Assessing the structure with developing a restoration plan
3. Prepare schedule and fee for annual maintenance
4. New restroom
5. Parking lot new layout along with site plan

In the mean time I have been contacted by a local company that uses a system that will address the film like rust issue. The system is called "The Farrow System". Again we tested an area and the result was positive and promising. Therefore we were going to look at this method to be incorporated into our restoration plan if this is the option that the city chooses.

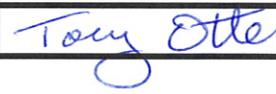
Staff believes that the structure is restorable. Also, staff recommends that we investigate the subsurface within this area. If the investigation indicates that there are cavities, then it needs to be restored immediately.

We went before the CRA Board on May 4th, 2010 to present the proposal from Quentin Hampton regarding this project and it included the five items listed above. The CRA Board after further discussion selected to choose only one of the activities which was the assessing of seawall and design of new seawall.

We will be working with Volusia County staff on developing the course of actions for both the boardwalk and the restrooms. Also you have indicated that you want staff to investigate and search the possibility of installing kiosk for parking fees. The staff is already investigating and doing the search. A recommendation will be presented for review and consideration

We are going before the City Commission on 5/25/10 to address the same issue. Staff is waiting on direction from CRA and the City Commission.

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: September 8, 2010		
Action Item Title: Presentation on the Badcock Building		
Agenda Section: Consent_____ Public Hearing_____ Special Items__x__		
Summary Explanation and Background		
<p>The proposed redevelopment of the Badcock building continues to move forward. The party interested in buying the property wishes to make a presentation to the CRA to discuss their progress to date, which includes the following:</p> <ol style="list-style-type: none"> 1. Discussing the project with business representatives who may be interested in leasing space. The business interests include a print and copy store, an optical store, and an engineering firm. A bank looking for space in the New Smyrna Beach area will also be contacted. 2. Having an architect prepare several conceptual drawings. 3. Having a general contractor provide a draft budget for the renovation of the building.. The cost of the basic building renovation is on the order of \$640,000. <p>There is not an existing CRA program to cover this level of expenditure, and the party interested in purchasing the building wishes to make a presentation.</p>		
Funding Analysis: Budgeted__x__ If not budgeted, recommend funding account:		
It is anticipated that the line item for Development Assistance and Incentives will be budgeted in excess of \$600,000 in the FY 2010-2011 budget.(The final draft budget should be available at the meeting.)		
Exhibits Attached:		
None.		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte

Meeting Date: September 8, 2010

Action Item Title: Request for a new program: Dolphin View Restaurant

Agenda Section: Consent _____ Public Hearing _____ Special Items x

Summary Explanation and Background

The owner of the Dolphin View Restaurant is seeking CRA funding for an expansion of his business; however, there is currently not a CRA program in place that can assist him at the level he is seeking.

The Dolphin View is located on the river between Canal St and Julia St. The restaurant is completely dependent on favorable weather, as seating is outdoors or under a covering without the benefit of heating/air conditioning.

The restaurant owner wishes to renovate a portion of the building to create an inside seating area that will be heated and cooled. The total project cost is on the order of \$100,000 to \$120,000. The property owner has discussed the possibility of contributing \$25,000 cash as well as reducing the restaurant's lease payments \$28,000 over three years.

Representatives of the restaurant wish to discuss the possibility of obtaining CRA funds for this project.

Recommended Action/Motion:

Staff requests discussion on this topic.

Funding Analysis: Budgeted x If not budgeted, recommend funding account:
Funds are available in the Business Development Incentives line item in the proposed budget for the FY 2010-2011 fiscal year.

Exhibits Attached:

None

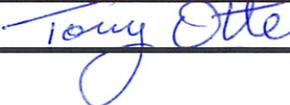
Reviewed By:

Name

Signature

CRA Director

Tony Otte



Commission Action

OLD BUSINESS

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte

Meeting Date: September 8, 2010

Action Item Title: Property Improvement Grant Change order for 304 Flagler Ave.

Agenda Section: Consent Public Hearing Special Items

Summary Explanation and Background

- On October 7, 2009 Mr. Carpenter submitted a Commercial Property Improvement Grant (PIG) application for 304 Flagler Ave. with an estimated total project cost of \$10,000, which the CRA approved with a CRA contribution of up to \$5,000. The applicant was not present during this meeting.
- At the same meeting, CRA staff presented a separate agenda item proposing that the CRA increase the maximum grant award of the Commercial Property Improvement Grant program from \$5,000 to \$10,000, which the CRA approved.
- Based on Mr. and Mrs. Carpenter's comments, they received a call from Ms. Foster shortly after that meeting informing them, that their Commercial PIG application for 304 Flagler Ave. had been approved and that the CRA had also approved staff's request to increase the maximum grant award from \$5,000 to \$10,000. The Carpenters stated that they believed this to mean that, instead of \$5,000 they now had \$10,000 available to them (if the total project cost exceeded \$20,000) and just went ahead with the project.
- On June 5, 2010 Mr. Carpenter sent a letter to staff requesting the additional funding through the Commercial Property Improvement Grant program, which would be used to pay for the cost of the additional upgrades that made the project exceed \$20,000 and an agenda item (Property Improvement Grant Change Order) was prepared by Ms. Foster for review by the CRA at their July 7, 2010 meeting.
- On July 7, 2010 the CRA denied the change order request 5 - 1 with the reason that the additional work had been performed without prior approval, which was not in compliance with the grant guidelines. The CRA suggested that the applicant get with CRA staff.
- On July 28, 2010 Mr. and Mrs. Carpenter submitted a letter to staff for inclusion in the August 4, 2010 CRA agenda. Staff suggested that the Carpenters address the CRA during the Public Participation Portion of the meeting, which they did. The Carpenters asked the CRA to re-visit their "case" with the reasoning that they were never told by CRA staff that they had to actually reapply for the additional funds. The CRA asked staff to prepare an agenda item for further review at the September CRA meeting.
- During a meeting with CRA staff on August 30, 2010 Mr. and Mrs. Carpenter stated that the project (original scope and additional upgrades) had been completed and \$18,935.41 had been spent to date. The Carpenters respectfully request that the CRA re-consider their case and approve the additional work performed, which would amend their reimbursable grant amount from \$5,000 to \$9,467.71.

Recommended Action/Motion:

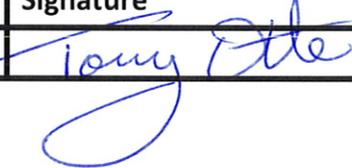
This is at the discretion of the CRA Commissioners.

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

1. Should the request for additional funds be approved, the original \$5,000 Purchase Order for FY 2009/10 needs to be liquidated and re-issued for FY 2010/11 in the amount of \$9,467.71 from account number 120-51502.553098, which has a balance of \$75,000.
2. Should the request for additional funds not be approved, staff will submit a check request to the Finance Department for the originally approved \$5,000 (upon final inspection of the project).

Exhibits Attached:

1. Original PIG Application from October 7, 2009
2. Letter from Mr. Carpenter dated June 5, 2010
3. PIG Change order request from July 7, 2010
4. Letter from Mr. Carpenter dated July 28, 2010
5. Letter from Mr. Carpenter dated August 30, 2010
6. Before and After pictures

Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		



3005 Temple Trail
Winter Park, FL 32789

August 30, 2010

Dear CRA;

Thank you for the opportunity to re-visit our case concerning the CRA Funding for Island Collection.

Last October, we were told that we were approved for \$5,000.00 in funding if \$10,000.00 or more was spent to improve our property.

The original scope of work was as follows:

- Hire landscape Architect to design exterior entertainment garden - \$ 900.00
- Remove the garage doors and replace with French doors ----- \$1700.00
- Install low voltage exterior lighting ----- \$ 950.00
- Install irrigation ----- \$1000.00
- Install landscaping ----- \$1500.00
- Install fence/entrance ----- \$2498.00
- Install a market umbrella and gazebo ----- \$3650.00

Total budget for approved project \$12198.00

Before we started construction, we were told that \$10,000.00 was now available for property improvements. We did not realize that we had to re-apply for additional funding and we did not understand what the proper protocol would be to receive additional funding. We simply started the project thinking that \$10,000.00 was available if the project exceeded \$20,000.00 in improvements.

If we started the project thinking that we would only receive \$5,000.00 in funding, we would not have financially been able to come up with the money to do a project of this scale. The design would have looked less complete and the project would have looked and functioned less professionally.

Because we thought we had additional funds, a more professional approach was taken. Upgrades included:

- Installation of an underground electrical system in order for the exterior lighting to be up to code and out of sight --- \$418.00 extra
- A more elaborate irrigation system then originally proposed. The system that was actually installed waters some of the plants once a week, some of the

plants twice a week and not at all if it rains. The system is controlled by a roof sensor that tells the system about the rain ——\$1100.00 extra

- More money was spent for demolition to bring the dirt levels down to a proper height ——\$400.00
- Plants were chosen that were more expensive because they are a variety that require less water——\$1090.00 extra
- Coquina Rock and railroad ties were added for decoration——\$231.41
- Two fountains were installed to landscaping and gives the garden the Soothing sound of water, installation only——\$450.00
- Gazebo installation plus architectural services——\$2648.00
- Architects fee for installing French Doors——\$400.00

Total cost of additional upgrades \$6737.41

We started construction in January, 2010 and have completed the project in August 2010. All phases of the project as spelled out in the original improvement grant application are finished and ready for inspection including the installation of an open air gazebo.

Total cost of the entire project (original scope of work+additional upgrades) - \$18935.41

With the completion of the project and during construction, we have received several complements a day on how beautiful the garden is.

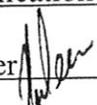
Recently, a gentleman came in and said "It is really great to see a new addition to Flagler Avenue and new construction in this down economy that we are experiencing now".

We thank you for giving us the opportunity to design and construct this garden oasis and hopefully you will have time to join us for a beautiful evening event in the near future.

Sincerely,
Phil and Regina Carpenter
Island Collection
304 Flagler Avenue
New Smyrna Beach, Florida

**CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY
AGENDA MEMORANDUM**

SUBJECT: CRA Property Improvement Grant - 304 Flagler Ave. Application

AUTHORIZED BY: Kevin Fall  **CONTACT:** Noeleen Foster 

AGENDA DATE: 10/07/2009

REGULAR

CONSENT

MOTION/RECOMMENDATION:

Approve the CRA Property Improvement Grant Application for 304 Flagler Avenue in the maximum amount of \$5,000.

BACKGROUND:

The CRA Property Improvement Grant Application for 304 Flagler Avenue received 18 points on the funding evaluation and qualifies for a grant.

This project includes:

1. Hire a Landscape Architect to design an exterior entertainment garden
2. Remove the garage door and replace with French doors
3. Install low voltage exterior lighting for art exhibitions
4. Install irrigation
5. Install landscape
6. Install fence/entrance
7. Install a market umbrella and exterior seating

The estimated cost for this project is \$10,000.

CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY

APPLICATION FORM

PROPERTY IMPROVEMENT GRANT PROGRAM

NAME: PAUL Carpenter
PROPERTY ADDRESS: 304 FLAGLER AVE, New Smyrna Beach, FLA.
TELEPHONE: 386 409 0089 (DAY) 407 230 1186 (EVENING)

TYPE OF IMPROVEMENT PLANNED:

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

PROJECT PROPOSAL ON IMPROVEMENTS

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.

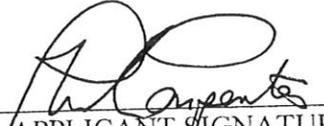
ESTIMATED TOTAL COST OF PROPOSED IMPROVEMENTS: \$ 10,000⁰⁰

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ 5,000⁰⁰

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 have 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 PROPERTY IMPROVEMENT GRANT PROGRAM PROCEDURES AND THE C.R.I.G.P. GRANT AGREEMENT.


APPLICANT SIGNATURE

Sept 10, 2009
DATE

304 Flagler Avenue

Funding Evaluation

Did the 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 5 points
No character defining features are inappropriately altered: 3 points

Location:

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

Overall Impact/Improvement:

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 18

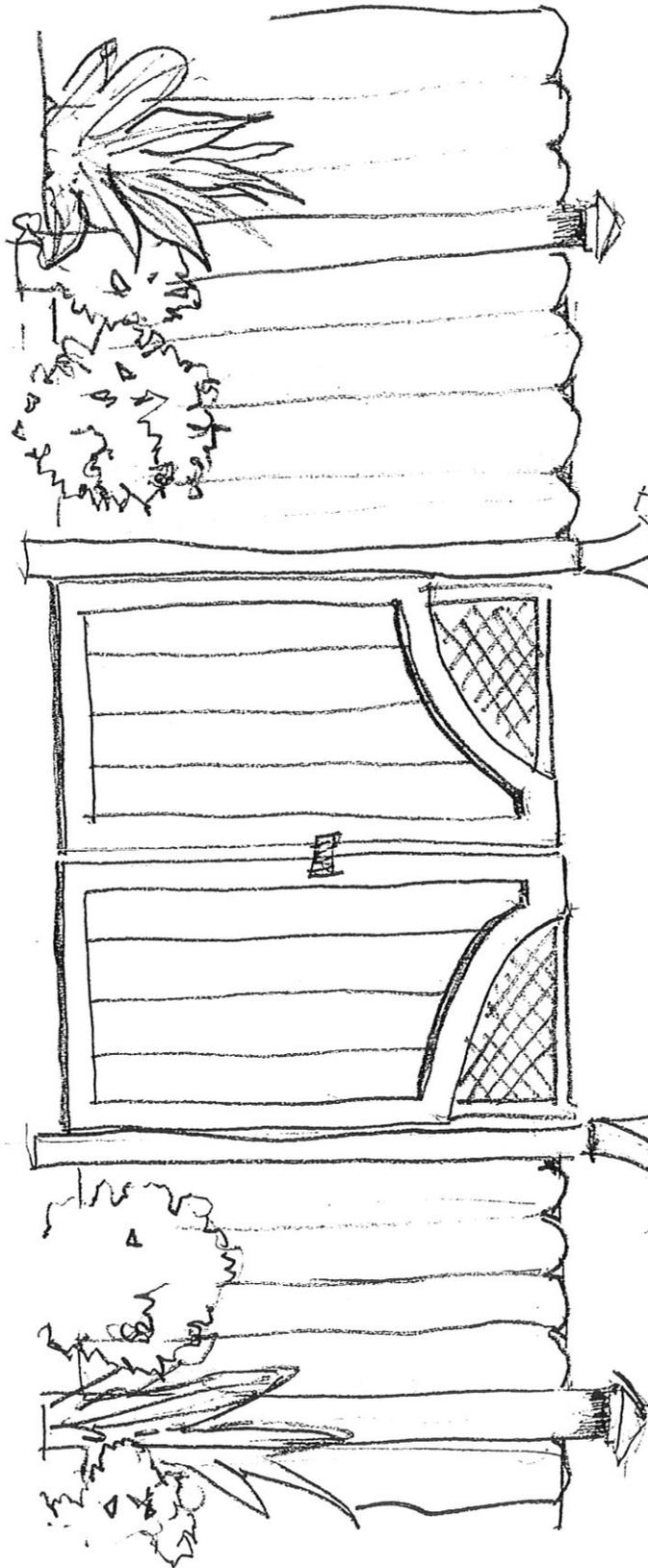


339-A Park Avenue South
Winter Park, FL 32789

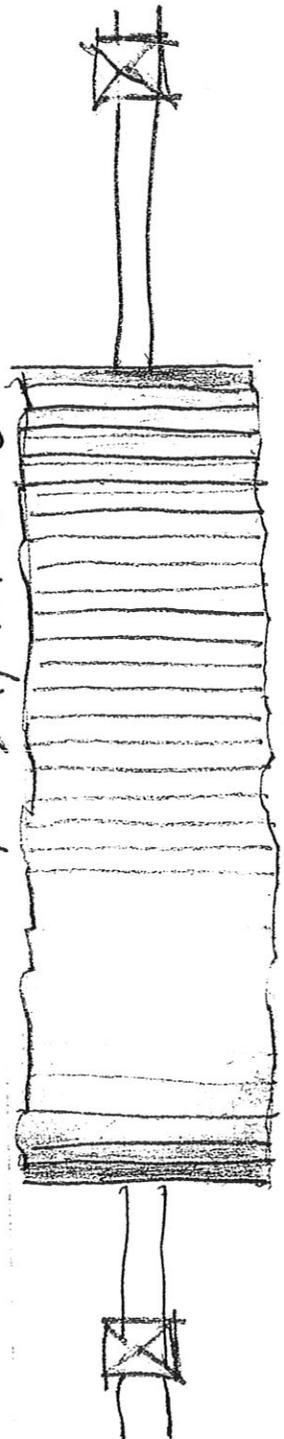
The goal of this project is to design an exterior gathering and entertainment garden atmosphere much like Clancy's Cantina across the street or the Clay Gallery at 302 Riverside Drive. A professional Landscape Architect has been chosen to layout the space and choose the proper fence and landscape design. An open air Gazebo or Arbor structure will be placed over the existing driveway. The driveway will be cut for irrigation and landscape plants. There will be a large market umbrella placed in front of the garage along with exterior seating for gatherings. The aluminum garage door will be removed and replaced with French doors and the garage will have new low voltage lighting installed for art exhibitions. The interior of the garage will basically be left totally in tact showing the existing 100 year old timbers. No additional paint colors will be chosen.

It should also be noted that Island Collection is a professional Interior Design Firm. Careful planning will go into each and every detail to enhance the design of this project and existing building.

SCREENING WALL



PLANT SCREEN



ISLAND COLLECTION

TRELLIS GATEWAY DESIGN FOR ISLAND COLLECTION

PHIL CARPENTER, ASID
NCIDQ, LIC.#0000048

INTERIOR DESIGN
339-A PARK AVE. SO.
WINTER PARK, FL.
32789

(407) 644-0844

ISLAND COLLECTION

June 5, 2010

3005 Temple Trail
Winter Park, FL 32789

Island Collections would like to request additional funds through the City of New Smyrna Beach Property Improvement Charge Order Request. The additional money would be used to add details needed to complete the design and more important pay for the cost of additional items added to the project that made the job exceed \$10,000.

An elaborate underground electrical system was installed to code before the Lighting Designer is able to install the exterior lighting. The irrigation system was more elaborate than originally proposed. The system waters some plants once a week and some plants twice a week and will not come on at all if it rains. There is a roof top sensor that tells the system about rain. There was additional cost with demolition in reducing the level of all soil before landscaping was installed and many plants were more difficult to find because they were of the variety that require less water for survival. There was also additional coccinia bark added to the landscaping along with two fountains.

ISLAND COLLECTION

3005 Temple Trail
Winter Park, FL 32789

The cost to date that Island Collection has spent for improvement to 304 Flagler Avenue is approximately \$17,000⁰⁰. We would like additional funds to help pay for the overage spent to date along with an additional \$2,000⁰⁰ for landscape lighting and an additional \$2,500⁰⁰ for installing the French Doors to the garage.

The total cost of the Property Improvement Charge order request is an additional \$10,000⁰⁰.

Thank you so much for helping Island Collection so much and please take a moment to stop by and enjoy the improvement to Flagler Avenue.

Paul Carpenter,
Island Collection

**CITY OF NEW SMYRNA BEACH
AGENDA MEMORANDUM
COMMUNITY REDEVELOPMENT AGENCY**

SUBJECT: 304 Flagler Property Improvement Grant Change Order Request

AUTHORIZED BY: Tony Otte *AKO*

CONTACT: Noeleen Foster *N Foster*

AGENDA DATE: 7/7/10

REGULAR

CONSENT

MOTION/RECOMMENDATION:

Approve the CRA Property Improvement Grant Change Order Request for a total Property Improvement Grant of \$10,000.

BACKGROUND:

The original CRA Property Improvement Grant Application for 304 Flagler Avenue received 18 points on the funding evaluation. The funding evaluation remains the same if the proposed change occurs and would continue to qualify for a grant.

The approved project originally included:

1. Hire a Landscape Architect to design an exterior entertainment garden
2. Remove the garage door and replace with French doors
3. Install low voltage exterior lighting for art exhibitions
4. Install irrigation
5. Install landscape
6. Install fence/entrance
7. Install a market umbrella and exterior seating

The additional money would be used for the following:

8. Installation of an underground electrical system in order for the exterior lighting to be up to code and out of sight.
9. A more elaborate irrigation system than originally proposed. The proposed system waters some plants once a week and some plants twice a week and will not come on at all if it rains. This system is controlled by a roof top sensor that tells the system about rain.
10. Demolition and grading costs increased.
11. Plants were more expensive because they require less water and were difficult to find.
12. Additional coquina rock.
13. Two fountains were also added to the landscaping.

FISCAL IMPACT:

The 304 Flagler Avenue Property Improvement Grant request was approved at the October 2009 CRA Board meeting in the amount of \$5,000. The applicant is requesting an increase to the maximum matching amount of \$10,000. The Property Improvement Grant Fund currently has \$49,859.50 available; if the additional \$5,000 is approved \$44,859.50 would remain.

OTHER OPTIONS:

Deny change order request.

ISLAND COLLECTION

July 28 2010
(407) 230-1186 - (cell)

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 were available to us.

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

ISLAND COLLECTION

400 South Blvd
P.O. Box 113380

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 Collections

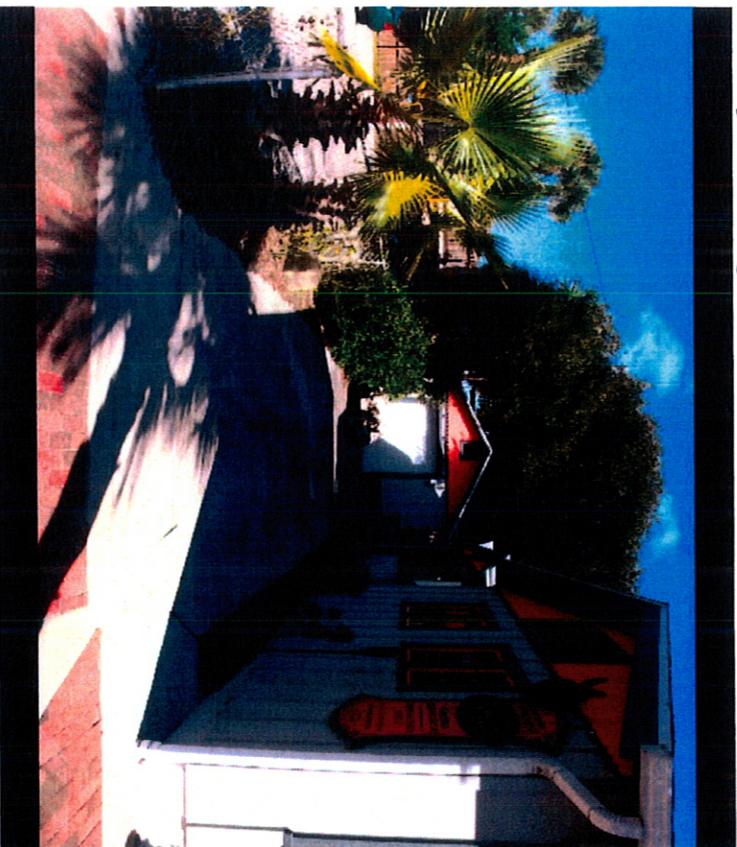
We respectfully request that you please re-consider our case and make the funding available that we always thought was available to make this project happen.

We will be available at the August 4th Meeting.


Phil Carpenter

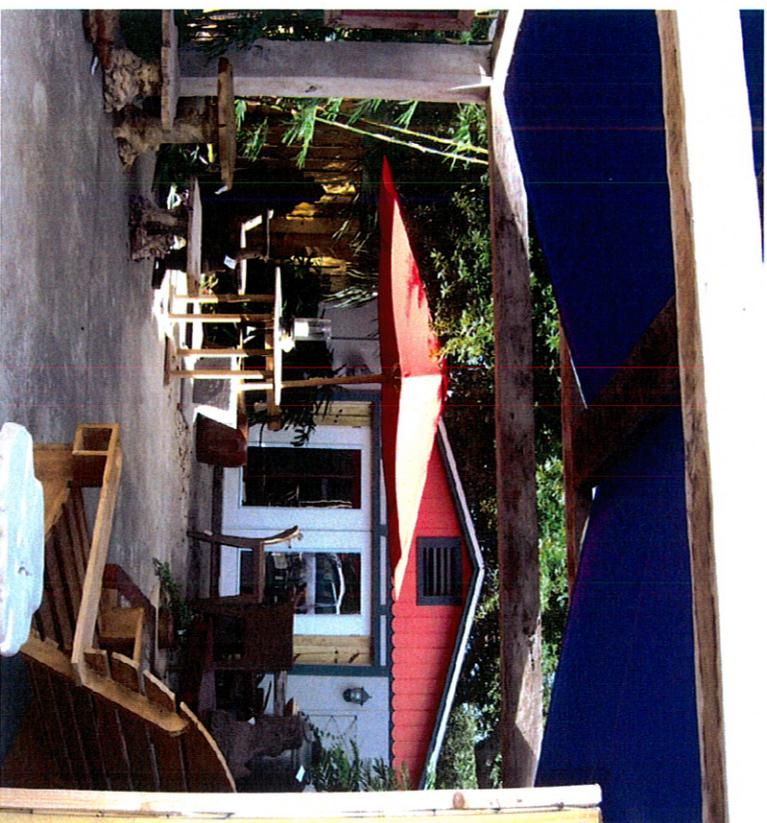
304 Flagler Ave.

Before



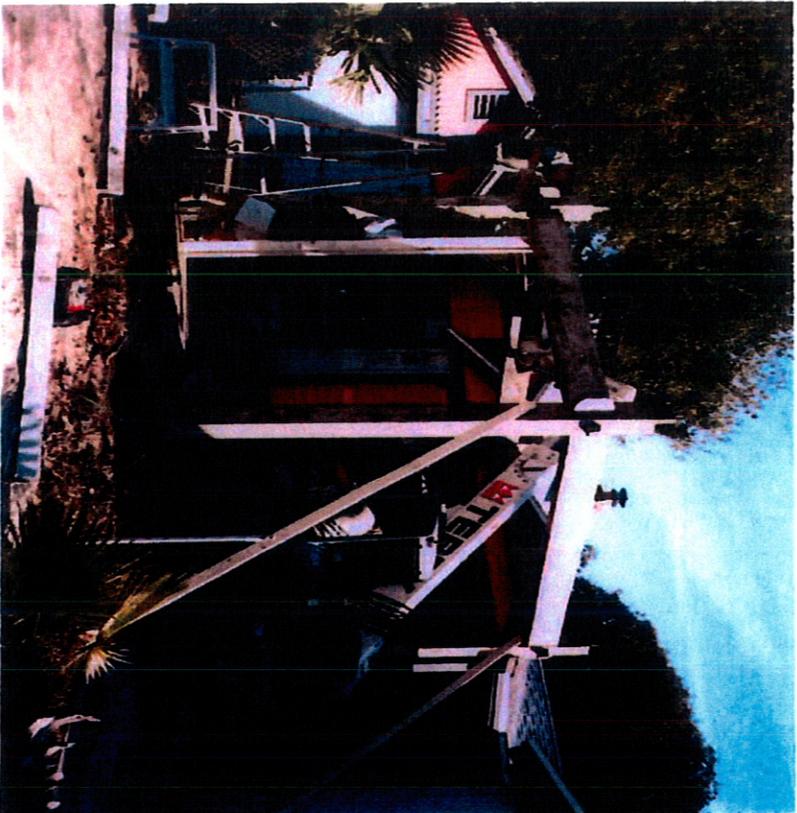
After

(incl. Gazebo, awning, french doors, umbrella/seating)



304 Flagler Ave.

Installation of Gazebo



Installation of commercial grade
irrigation

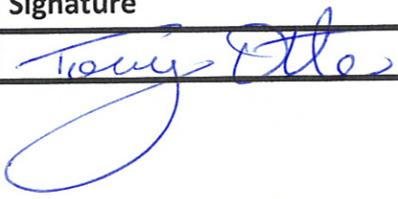


304 Flagler Ave.

Fountains in outside seating area



CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: September 8, 2010		
Action Item Title: Canal Street Historic District – 2009/10 Grants & Aids Reallocation Request		
Agenda Section: Consent <input checked="" type="checkbox"/> Public Hearing _____ Special Items _____		
<p>Summary Explanation and Background</p> <p>On July 15, 2009 the CRA approved Canal Street Historic District's (CSHD) Grants & Aids application in the amount of \$25,000 for Fiscal Year 2009/10. Ms. Cindy Jones, President of the CSHD appeared at the August 4, 2010 CRA meeting during the Public Participation, stating that one of the events (Biking) included in the approved application did not take place and that she would like to reallocate a portion of the \$14,569.23 left on the Purchase Order to new events to attract more foot traffic to Canal Street. The CRA suggested that Ms. Jones get with CRA staff to bring the request back at the September meeting.</p> <ul style="list-style-type: none"> • The CSHD is proposing an event called "Music in the Park" for two Saturdays in September, which is intended to entice visitors of the Farmer's market to shop at local stores and to create new visitors for the East Coast Cruisers Saturday Night Cruise or Antique Car Show. (Total anticipated advertising cost of \$10,223 – requested CRA contribution of \$3,578). • Another marketing idea is to photograph Canal Street's new mascot "Hedda Heron" on location at local businesses/points of interest and to create a calendar with those photos for distribution in town and out of area travel agents. (Total anticipated advertising cost of \$7,569 – requested CRA contribution of \$2,649). 		
<p>Recommended Action/Motion:</p> <p>Staff recommends approval of these requests.</p>		
<p>Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:</p> <p>The CSHD is requesting to use \$6,227 of the \$14,569.23 currently remaining on Purchase Order (PO) 29659 from FY 2009/10, so they are not requesting new funds. Any monies left on the PO after October 1, 2010 will be liquidated and returned to the CRA's fund balance.</p>		
<p>Exhibits Attached:</p> <p>1. CSHD Application packet</p>		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

Community Redevelopment Agency Grants and Aids

REALLOCATION Application

Please submit this application by June 1st annually.

Date Submitted: 8/23/2010 Date Approved _____

Name of Business or Organization: Canal Street Historic District (CSIID) Assoc.

Address: PO Box 641

City and Zip Code: NSB, FL 32170

Contact Person/Title: Cynthia C. Jones, President Cell Phone: 386-547-4038
Business Ph: 428-4199 (Southern Trends Home Furnishings)

Projected Budget: Reallocate \$6,227 of remaining previously approved \$15,000
Amount Requested: Reallocate \$6,227 of remaining previously approved \$15,000
Estimated Project Start Date: September 2010
Estimated Project End Date: September 30 2010

Has this event received past CRA funding? No

If yes, please provide the year(s) of assistance and amount received. _____

Please provide the following information as part of the application packet.

1. Projected budget for the program.
2. A complete listing of the organization's current officers and directors, including addresses, telephone numbers
3. Organization's most recent IRS filing (unless the organization is less than one year old)
4. Listed application question responses.

Signature of Organization's Chief Official: _____

Cynthia C. Jones
Cynthia C. Jones, President

**CANAL STREET HISTORIC DISTRICT Association's REQUEST FOR REALLOCATION of
FUNDING
for FISCAL YEAR 2009-2010**

The Canal Street Historic District Association (CSHD) is requesting a reallocation of funding to attract more people to stroll the streets not only on Canal but also Sam's, Magnolia, Live Oak and Orange streets and to establish an identity for CSHD with our new mascot "Hedda Heron".

SATURDAY MID MORNING and AFTERNOON MUSIC IN CHRISTMAS PARK

CSHD proposes developing Saturday music in Christmas Park for two Saturdays in September namely, Saturday September 11 and Saturday September 18. If this goes well we will incorporate the activities as part of our approved FY2010-2011 grant.

This addition of music in our Downtown Park is designed for the times when stores and the New Smyrna History Museum are open so our merchants can attract more walk in crowds. The timing is intended to keep visitors on the street after the Farmer's Market and create new visitors for the East Coast Cruisers Saturday Night Cruise In or Antique Car Show. This request has been amended to remove the request for music during the 1st Saturday monthly Gallery Walk since the CRA Board Meeting has been deferred to Sept 8 and Gallery Walk will have already taken place.

In addition to developing a marketing tool of this nature, we are likely to attract retail and restaurant businesses to consider locating in our historic district by realizing we are a vibrant street and neighborhood, perfect for their new or a second location.

CANAL STREET IDENTITY – "HEDDA HERON"

Hedda is a 7 foot tall, three dimensional figure hand crafted by a local artisan. Hedda will promote local businesses as well as points of interest in the Canal Street Historic District by being photographed on location at those businesses. The photographs will be compiled into a calendar to premier this October 2010. The character of Hedda Heron is whimsical and memorable, and the calendar will be a fun way to remind local residents and visitors of the merchandise and services available to them here on Canal Street.

The calendar will be sold at locations throughout the Historic District. CSHD will have a booth at this year's Christmas on Canal Coastal Market to sell the calendar and promote downtown New Smyrna Beach. CSHD is also working with a marketing agency to distribute calendars to in town and out of area travel agents.

A calendar of this type was a successful promotion for downtown Brunswick, Georgia and we think it can work equally well here in New Smyrna Beach.

Continued on Page 2

REQUEST of CRA

CSHD requests that the CRA approve the reallocation of FY2009-2010 CSHD funding to allow procuring and advertising music in Christmas Park for two Saturdays in September and for funding of the calendar featuring Hedda Heron at local businesses. CSHD believes these are worthwhile projects to be partially funded by the CRA.

**CANAL STREET HISTORIC DOWNTOWN DISTRICT
PROPOSED REVISION TO CSHD Budget for the CRA 2009-2010 Fiscal Year**

Original Approved Allocation - BIKING EVENT
CRA % TOTAL COST
\$15,000 45.59% 32,900

ReAllocation Request

Music in the Park	CRA	3,578	35.00%	TOTAL COST	10,223
Memory Marketing Hedda Mascot Calendar		2,649	35.00%		7,569
TOTAL		6,227			17,792

**CANAL STREET HISTORIC DOWNTOWN DISTRICT
PROPOSED REVISION to CSHD Budget for the CRA 2009-2010 Fiscal Year**

**ENHANCE Farmer's Market (2nd , 3rd & 4th Saturdays), and Cruise Night (2nd Saturdays)
September 2010**

<u>Budget For Event</u>	<u>Costs</u>	<u>CRA</u>	USE SAME POSTER FOR EACH EVENT
Promotion:			
Large posters	1,110 75.00 83		
4 banners for Sandwich Boards	55.00 8.00 440		
Decorations	-		
Other Misc.	150		
Advertising:			
News Journal	1,500		
Hometown News	1,400		
Volusia Parent Mag	700		
Volusia Pennysaver	1,100		
The Observer	1,400		
Flagler Parent	-		
Orlando Sentinel N Zone Calendar	-		
Lifestyle Magazine	700		
TV	-		
Radio	400	3,577.88	
Other Event Costs:			
Live Music , Outdoor Cinema	4 412.50 1,650		
Other Misc. Port o lets etc	700	0.00	
Total Costs	10,223	3,577.88	
Advertising Schedule	\$ Per Freq.	Freq	
News Journal	1/4pg/wk 375	4	
Hometown News	1 week Prior & week of 350	4	
Volusia Parent Mag	Monthly 350	2	
Volusia Pennysaver	1 week Prior & week of 275	4	
The Observer	1 week Prior & week of 350	4	
Flagler Parent	Monthly		
Orlando Sentinel N Zone Calendar	Every 2 months 350	2	
Lifestyle Magazine			
TV -			
Radio, WSBB.	Weekly 100	4	

CANAL STREET HISTORIC DOWNTOWN DISTRICT PROPOSED REVISION TO CSHD Budget for the CRA 2009-2010 Fiscal Year

Canal Street Historic District Calendar - Mascot Hedda Heron will be Photographed in historic locations and participating businesses
This will be a 13 month 2011 Calendar to be created in September. Calendars will be sold during the Coastal Market as a fundraiser for
the CSHD Association

Budget For Calendar CRA

<u>Promotion:</u>	<u>Costs</u>	<u>CRA</u>
Calendars at Visitors Bureau	5 00	100.00
Calendars Direct Mailed to Out of Area Travel Agents	5 77	100.00
		577

Advertising:

News Journal	550
Hometown News	375
Volusia Parent Mag	-
Volusia Pennysaver	450
The Observer	-
Lifestyle Magazine	-
TV	-
Radio	-
SE Volusia	550
Southeast Volusia	375
Volusia County	-
Flagler County	450
Volusia County	-

Production Costs:

Print	4000	3,227
Art. Design, Photography		1,690
Misc distribution costs, mailing, envelopes etc		200

Total Costs 7,569 2,649

Projected Sales 3700 \$3.99 14,763

Welcome to Canal Street Historic District Website - Windows Internet Explorer

http://www.canalstreetnrb.com/ canal street nrb

File Edit View Favorites Tools Help

Favorites Suggested Sites Free Hotmail Web Site Gallery

Welcome to Canal Street Historic District Website

[Department of Peter Hoff, P.A.](#)
[Garrigues & Associates](#)
[Gerard J Pendergast, Architect](#)
[Grammy K's Desserts](#)
[Halos & Dreams](#)
[Heart's Delights by Flarecdfx](#)
[ICV Canal Street LLC](#)
[Image today Advertising, Inc.](#)
[James M. Kosmas, P.A.](#)
[Keepsake Imaging LLC](#)
[Lindley's Nursery & Garden Center](#)
[Little Drug Co., Inc.](#)
[MGM's Southern Window Fashions](#)
[Pink Flamingo at Petals](#)
[SE Volusia Chamber of Commerce](#)
[Southern Trends](#)

Canal Street Historic District Mission Statement

The purpose of the CSHD Assoc. is to promote and sustain a vibrant and economically viable Downtown, encompassing both west and east Canal and adjacent streets.:

Further, it is our purpose to provide a central gathering place for area residents and visitors to enjoy outstanding retail shoppes and restaurants, as well as professional services in the historically rich setting; to sponsor events that have a positive impact and promotes traffic to our downtown and to support and promote residential occupancy in the CSHD.



FAQ's

WHO ARE THE CSHD Assoc Members?

We are a Merchants, Property Business Owners and Supporters of the Canal

Contact Us:
 New Smyrna Beach
 MainStreet, Inc.
 P.O. Box 641
 New Smyrna Beach,
 FL 32170-0641

President: Cindy Jones
 Southern Trends Home
 Furnishings
 534 Canal St.
 Phone: 386-428-4199
E-Mail:

Secretary: Barbara Diegel
 My 1270 AM WBBB
 229 Canal Street
 Phone: 386-428-9091
E-Mail:

Treasurer:
 Dawn McKenna Moore
 CM Lybrand & Co
 728 Canal Street
 Phone: 386-428-2315
E-Mail:

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http://www.canalstreetnrb.com canal street nrb

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728 Canal Street
Phone: 386-928-2315
E-Mail:

Membership Committee:
J. Pendergast
Wendy Edwards, D.C.
Bob Garrigues

Webmaster:

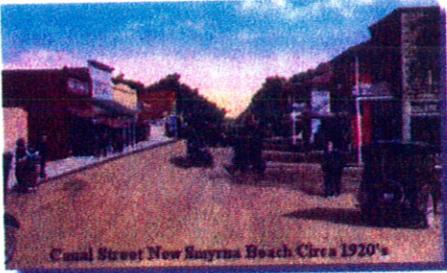
Local Links

- Atlantic Center for the Arts
- City of New Smyrna Beach
- Marine Discovery Center
- Merchants of Flagler Avenue
- New Smyrna Museum of History
- New Smyrna Beach Visitors Center
- Volusia County Parks and Recreation
- SEV Chamber
- Utilities Commission

WHO ARE THE CSHD Assoc Members?

We are a Merchants, Property Business Owners and Supporters of the Canal Street Historic District. Dues paying members enjoy enhanced benefits from membership.

Beautiful New Smyrna Beach



Canal Street New Smyrna Beach Circa 1920's

Petals

- SE Volusia Chamber of Commerce
- Southern Trends Home Furnishings
- The Palms Collectibles
- Tipton's Florist & Greenhouse
- TUI Printing and Promotions

CSHD SUPPORTER MEMBERS

- Buena Vista Inn
- Bulldog Window & Door, Inc.
- Indian River Glass
- Marc Monteson Promotions
- Precision Painting Solutions
- Top Shelf Properties
- Williams Engineering PLC

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Welcome to Canal Street Historic District Website

Home | Events | **About CSHD** | CSHD Members | NSB History

About Us

New Smyrna Beach Main Street, Inc is a not for profit merchants, property and business owners founded to promote the local Canal Street downtown area. It encompasses not only Canal Street but any merchant in the Mainstreet area. It is for the local business's, artists, crafts persons, merchants, lawyers, real estate companies, title companies, and any of the many types of business's in the area.

We welcome any local business to our association and volunteering on one of our committees is certainly encouraged.

New Smyrna Beach Main Street, Inc.
P.O. Box 641
New Smyrna Beach,
FL 32170-0641



CSHD Association Membership

Defined: Any Dues Paying Property Owner or Business Owner located in or adjacent to the Historic Canal Street District (CRA Boundary lines + adjacency) Fiscal Year runs from June 1 to May 30 of each year
Membership Annual Dues \$75

Benefits.

Done

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Form **8868**

Application for Extension of Time To File an Exempt Organization Return

OMB No. 1545-0049

Due April 15, 2010
Department of the Treasury
Internal Revenue Service

File a separate application for each return.

- If you are filing for an **Automatic 3-Month Extension**, complete only Part I and check this box.
- If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only Part II (on page 2 of this form). Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868.

Part I Automatic 3-Month Extension of Time. Only submit original (no copies needed).

A corporation required to file Form 990-T and requesting an automatic 6-month extension—check this box and complete Part I only.

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns.

Electronic Filing (e-file). Generally, you can electronically file Form 8868 if you want a 3-month automatic extension of time to file one of the returns noted below (6 months for a corporation required to file Form 990-T). However, you cannot file Form 8868 electronically if (1) you want the additional (not automatic) 3-month extension or (2) you file Forms 990-BL, 6069, or 8870, group returns, or a composite or consolidated Form 990-T. Instead, you must submit the fully completed and signed page 2 (Part II) of Form 8868. For more details on the electronic filing of this form, visit www.irs.gov/efile and click on e-file for Charities & Nonprofits.

Type or print	Name of Exempt Organization	Employer identification number
	New Smyrna Beach Mainstreet, Inc	59 2954243
	Number, street, and room or suite no., if a P.O. box, see instructions	
	PO BOX 641	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions.	
	New Smyrna Beach, FL 32170-0641	

- Check type of return to be filed (file a separate application for each return):
- | | | |
|---|---|------------------------------------|
| <input type="checkbox"/> Form 990 | <input type="checkbox"/> Form 990-T (corporation) | <input type="checkbox"/> Form 4720 |
| <input type="checkbox"/> Form 990-BL | <input type="checkbox"/> Form 990-T (sec. 401(a) or 408(a) trust) | <input type="checkbox"/> Form 5127 |
| <input checked="" type="checkbox"/> Form 990-EZ | <input type="checkbox"/> Form 990-T (trust other than above) | <input type="checkbox"/> Form 6069 |
| <input type="checkbox"/> Form 990-PF | <input type="checkbox"/> Form 1041-A | <input type="checkbox"/> Form 8870 |

The books are in the care of Eileen Kilday

Telephone No. (386) 663-4280 Fax No. (413) 637-9911

- If the organization does not have an office or place of business in the United States, check this box.
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN). If this is for the whole group, check this box. If it is for part of the group, check this box and attach a list with the names and EINs of all members the extension will cover.

1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until 2010 to file the exempt organization return for the organization named above. The extension is for the organization's return for:

calendar year 2009 or

tax year beginning April 1, 2009, and ending March 31, 2010.

2 If this tax year is for less than 12 months, check reason: Initial return Final return Change in accounting period

3a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	3a	\$
b If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.	3b	\$
c Balance Due. Subtract line 3b from line 3a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	3c	\$

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8153-EO and Form 8879-EO for payment instructions.

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte

Meeting Date: September 8, 2010

Action Item Title: Form-Based Code Consultant Ranking

Agenda Section: Consent _____ Public Hearing _____ Special Items X__

Summary Explanation and Background

On April 28, 2010 Planning staff advertised for a Request for Proposals for a Form-Based Code. Ms. Gail Henrikson, Planning Manager submitted the attached agenda item for the CRA's review and recommendation to the City Commission.

Recommended Action/Motion:

Recommend to the City Commission that Planning staff be allowed to begin negotiations with the top-ranked firm.

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

Funded in FY 2010/11 in Capital Outlay 12051502.567209 under Policies and Partnership.

Exhibits Attached:

1. Ms. Henrikson's interoffice Memorandum
2. CD containing top ranked firms' proposals

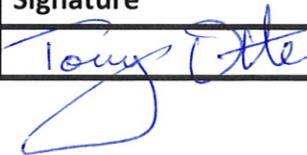
Reviewed By:

Name

Signature

CRA Director

Tony Otte



Commission Action

Interoffice Memorandum City of New Smyrna Beach

To: Tony Otte, CRA Director
From: Gail Henrikson, AICP, Planning Manager GAH
Subject: Form-Based Code Consultant
Date: September 1, 2010

BACKGROUND

In December 2009, the City Commission identified and prioritized 18 projects that the City needed to address. Item #3 was to prepare revisions to the City's *Land Development Regulations*. Staff prepared an Request for Proposals (RFP) which was advertised April 28, 2010. Four responses were received. The proposals were reviewed by staff, which short-listed the top three firms. These firms then made presentations to staff on August 16, 2010.

Based upon the proposals and the presentations, staff has ranked the firms as follows:

1. Land Design Innovations
2. Dover Kohl
3. AECOM

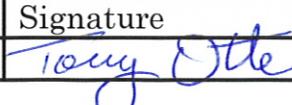
Staff is requesting approval to begin negotiating with the top ranked firm. The request to begin negotiations is scheduled for the September 14, 2010 City Commission meeting. A negotiated contract, including a scope of work and fees will be brought back as a separate item to the City Commission.

Copies of the proposals from the top ranked firms are included on the CD for the Board Members' review.

RECOMMENDATION

Staff recommends that the CRA recommend to the City Commission that staff be allowed to begin negotiations with the top-ranked firm.

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Michelle Martin											
Meeting Date: <u>9/8/2010</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 Orange St Streetscape and Parking Lot Improvements Project was designed for complete reconstruction of the stormwater system, potable water system with new 8" water main system and fire hydrants, complete reconstruction of the roadway and sidewalks, new streetlight system, landscaping, irrigation, and complete reconstruction of the CRA parking lot, from Lytle Avenue to Canal Street.</p> <p>The Utilities Commission (UC) was committed to partnering with the City by funding the design and reconstruction of the potable water system and fire hydrants (see Attachment A, December 2006 email correspondence between Jim White and Shannon Lewis), however near the completion of the design stage of the project the UC advised in a May 2009 meeting that they were no longer going to participate with the funding of this project. This project was fully designed to remove the existing 4" cast iron (CI) water main and replace with a new 6" C-900 water main which would be large enough to meet the current capacity for increased demands for potable water as well as fire protection. In the early stage of the design process the Utilities Commission was committed to funding and upgrading their infrastructure while the City was doing the same by upgrading the City stormwater systems and reconstructing the roadways as part of the City Streetscape Projects.</p> <p>In an effort to keep the project moving forward, Staff drafted a Memorandum of Understanding between the City and the Utilities Commission (see Attachment B), proceeded with completing the design and construction bid documents, placing the UC infrastructure line items as bid alternates, and advertised the project for bid proposals. The bid opening for the Orange St Streetscape and Parking Lot Improvements Project was conducted on July 27, 2010 and the following were the results (base bid + bid alternates):</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Masci Corporation</td> <td style="width: 10%;">\$</td> <td style="width: 70%;">785,151.70</td> </tr> <tr> <td>ThadCon LLC</td> <td>\$</td> <td>799,047.50</td> </tr> <tr> <td>Britt Construction, Inc</td> <td>\$</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 Masci Corporation has made the appropriate correction. Their revised total is \$784,881.70. Staff has completed a thorough review of Masci Corporation's references (see Attachment C which contains the reference responses from fourteen local governments).</p> <p>Since the total bid amount came in lower than the amount currently budgeted for this project (\$985,575.00), Staff recommends awarding the contract to Masci Corporation, however due to a recent email from the UC General Manager/CEO (see Attachment D), the bid alternate line items (new 6" water main system and fire hydrants) will not be constructed.</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, not including Bid Alternate line items, for an amount of \$717,331.70.</p>											
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommended funding account:											
<p>Exhibits Attached:</p> <p>Attachments: Dec 2006 email correspondence (Attachment A), Memorandum of Understanding (Attachment B), Masci Corp References (Attachment C), email correspondence from UC General Manager/CEO (Attachment D), Bid Opening Sheet (Attachment E), Masci Corp Bid Tabulation Sheets (Attachment F), and Project Utility Plan Sheets (PP-1 and PP-2)</p>											
Reviewed By:	Name	Signature									
Department Director:	Tony Otte										
Commission Action:											

Martin, Michelle

From: Foster, Noeleen
Sent: Tuesday, December 11, 2007 4:53 PM
To: Fall, Kevin; Martin, Michelle
Subject: FW: Project Financing

FYI - Noeleen

From: Jim White [mailto:jdwhite@ucnsb.org]
Sent: Monday, March 19, 2007 5:00 PM
To: Foster, Noeleen
Cc: Laurie Klinkenberg; Dave Hoover; Ray Mitchum
Subject: FW: Project Financing

Summary of earlier understandings on Orange, Mary, W, Canal, Others

jdwhite

From: Jim White
Sent: Thursday, December 21, 2006 7:56 AM
To: 'Lewis, Shannon'
Cc: Robert Rodi; Dave Hoover; Ray Mitchum; Enrique Torrens; Randy Walter
Subject: RE: Project Financing

Shannon-

1. Dave Hoover or his designee is POC for soft digs
2. UC expects to cover cost of Mary Street W&S work – Myrtle to US1, expects to invoice CNSB for power & light
3. UC expects to cover water line in Orange. expects to invoice CNSB for power & light.
4. UC is not planning any expenses in W. Canal St.- understands FDOT is budgeting grant funds of approx \$950K
5. UC does not now participate in cost of “undergrounding” overhead facilities, an old policy of 15% has been ended.
6. UC does not plan to participate in cost of “renewal” type projects in future beyond above items.

MERRY CHRISTMAS !!!!

James D. White, P.E.
Engineering Director
Utilities Commission, City of New Smyrna Beach
200 Canal Street
New Smyrna Beach, Florida 32168
Phone 386-424-3020
Fax 386-409-4720
Email: jdwhite@ucnsb.org

From: Lewis, Shannon [mailto:slewis@cityofnsb.com]
Sent: Monday, December 18, 2006 1:56 PM
To: Jim White
Cc: Randy Walter; Fegley, Kyle; Martin, Michelle
Subject: Project Financing

Jim,

Attachment A (2 pages)

We are planning to do the soft digs on Mary Avenue once GAI sends us plans indicating where they need them and how deep/wide (still checking on the TVing). We will be handling the Phase 1 archeological study as well. A final decision on the additional stormwater improvements has not been made yet.

It is my understanding, based on our earlier discussions and your approved scope with GAI that the UC is funding the water and sewer improvement portions only--both design and construction. We will make sure that the contractor bids the items separately so that you can easily determine the cost allocations.

On Orange Street, it has been my understanding from old memos (prior to your or my involvement) that the UC would be financing any water/sewer upgrades (construction) to Orange and it would be in conjunction with the City's stormwater/streetscape. Is this your understanding? I was planning to bid the project in the same manner as Mary with the items clearly delineated. I want to make sure we are on the same financing page.

In addition to the above two projects, the City is also planning a design-build project for improvements to West Canal Street between the RR and Myrtle Avenue. Bids are due March 15. With this streetscape will also be a DOT canal lining project that we are overseeing. Previous correspondence from the City mentioned that the UC would fund any upgrades they may wish to do, but I never saw any correspondence back. We are planning to have the entire area open since we will be reconstructing the street and I wanted to ask if there were any upgrades you were interested in undertaking in conjunction with this project.

Also, at the time this was originally discussed, the UC would pay 1/3 the cost of undergrounding utilities. Is this still an option? Please let me know what you would like to do about West Canal.

Thanks, Jim. Happy Holidays.

Shannon Lewis



COMMUNITY REDEVELOPMENT AGENCY

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



MEMORANDUM OF UNDERSTANDING

**South Orange St Streetscape and
Downing St Parking Lot Improvements Project**

August 31, 2010

The purpose of this Memorandum of Understanding (MOU), between the City of New Smyrna Beach/CRA and the Utilities Commission (UC), is to define the responsibilities of each party for the South Orange St Streetscape and Downing St Parking Lot Improvements Project.

The South Orange St Streetscape and Downing St Parking Lot Improvements Project consists of complete reconstruction of the stormwater system, complete reconstruction of the roadway and sidewalks, new streetlight system, landscaping, hardscaping, and irrigation, from Lytle Avenue to Canal Street. Also included with this project is a complete reconstruction of the Downing Street Parking Lot, including new stormwater system, asphalt pavement, streetlight system, landscaping, and irrigation. The construction plans have been reviewed and accepted by both parties.

Responsibilities of the City of New Smyrna Beach/CRA:

1. Advertise project for bidding, and approve contract for construction.
2. Fund construction of all line items relating to complete reconstruction of stormwater system, complete reconstruction of the roadway and sidewalks, new streetlight system, landscaping, hardscaping, and irrigation.
3. Manage all construction related activities described in item # 2.
4. Pay the Utilities Commission for potable water system relocations and electric facility relocations (to include wooden power poles) as required by the project.
5. Relocations of the 20" reclaimed water main are included in the City's bid package and will be paid for by the City.
6. Obtain and pay for the FDOT permit as required by the project.

Responsibilities of the Utilities Commission:

1. Relocate any potable water system or wooden power poles as per the construction plans, except where sidewalks can be re-routed.
2. Coordinate with the contractor and remove the existing streetlight system.
3. Acceptance of MOU and construction drawings provided by the City of New Smyrna Beach by the General Manager/CEO and Director of Engineering.

The terms of this MOU are effective from the date of the construction Notice to Proceed until the date of project Final Acceptance.

Pam Brangaccio
City of New Smyrna Beach
City Manager

Ray Mitchum
Utilities Commission
General Manager / CEO

Date

Date

Attachment B

Masci Corporation – References City of St Augustine

**Tim Flemming – Purchasing Dept
(904) 825-1010 – Aug 4, 2010**

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **NO CHANGE ORDERS FOR CURRENT UTILITIES PROJECT**
3. Was Masci on time and within budget? **YES SO FAR**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **4**

**Marcus Pinson – Public Works Engineer
(904) 209-4278 – Aug 4, 2010
(Left Message) – He returned call on Aug 6, 2010**

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **YES, BUT IT WAS FOR SOMETHING THAT THE CITY INADVERTANTLY LEFT OUT OF THE CONTRACT, AND WAS EASILY CORRECTED WITH A C.O.**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **4**

Attachment C (12 pages)

Masci Corporation – References Quentin Hampton

**Gary Wisniewski - Senior Inspector
(386) 566-2928 – Aug 4, 2010**

1. Overall were you happy with Masci's performance? **YES, BY THE END OF THE PROJECT QLH WAS HAPPY WITH MASCI'S PERFORMANCE. DURING THE PROJECT QLH WASN'T SURE BUT TOWARDS THE END "MASCI MADE IT RIGHT".**
2. Did you have any Change Orders? About how many? **YES BUT NOT CAUSED BY MASCI.**
3. Was Masci on time and within budget? **FOR THE MOST PART**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **3.5 to 4**

Further comments were that Masci was bad with their paperwork. Mistakes with their pay requests and shop drawings, and their resubmittals would have different mistakes...needed lots of review by QLH. And the materials delivered to the jobsite would be different from their shop drawings...bad internal communication between office staff and field staff. Again lots of review and oversight required by QLH.

Masci Corporation – References City of Oviedo

Tony Segreto – Public Works Director

(407) 971-5641 – Aug 5, 2010

(Left Message) – He returned call on Aug 9, 2010

1. Overall were you happy with Masci's performance? **NO**
2. Did you have any Change Orders? About how many?
3. Was Masci on time and within budget?
4. Would you use Masci Corporation again? **NO**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **2**

Tony Segreto was not employed with the City of Oviedo when the project was under way that the City of Oviedo was sued for by Masci Corporation. However he was with the City when the jury trial was underway. Tony Segreto explained that Masci Corp installed the wrong type of pipe for a reclaimed water main. They installed blue pipe when it should have been purple. The City tried to make them replace it and the issue wound up in court with a jury trial. The City lost and Masci Corp was apparently awarded \$800k.

Masci Corporation – References City of Casselberry

**Tony Segreto – Former Public Works Director for the City of Casselberry
(407) 971-5641 – Aug 9, 2010**

1. Overall were you happy with Masci's performance? **NO**
2. Did you have any Change Orders? About how many? **SEVERAL BUT MOST NOT MASCI'S FAULT. HOWEVER ONE OF THE CHANGE ORDERS WAS TO ADD TIME TO THE PROJECT. CITY OF CASSELBERRY DIDN'T WANT TO GO THRU THE HASSLE OF CHARGING LIQUIDATED DAMAGES BECAUSE MASCI WAS SO HARD TO DEAL WITH, "VERY LETIGIOUS, ALWAYS SENDING LETTERS FROM THEIR LAWYERS ABOUT ISSUES".**
3. Was Masci on time and within budget? **NO. ALWAYS BEHIND SCHEDULE.**
4. Would you use Masci Corporation again? **NO**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **2**

Masci Corporation – References CPH Engineering

**David Mahler – Engineer of Record for the Oviedo Project
(407) 425-0452 – Aug 9, 2010**

1. Overall were you happy with Masci's performance?
2. Did you have any Change Orders? About how many?
3. Was Masci on time and within budget?
4. Would you use Masci Corporation again?
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp?

Mr Mahler declined to answer these questions since he was the Engineer of Record on the Oviedo Project that went to litigation. But he did tell me that when the project went into litigation Masci did not complete the project, the City of Oviedo had to hire another contractor to finish the project, and the blue pipe in question was abandoned.

Masci Corporation – References City of Green Cove Springs

**Mike Null – Public Works Director
(904) 529-2216 – Aug 5, 2010
(Left Message) – He called back Aug 6, 2010**

1. Overall were you happy with Masci's performance? **NO**
2. Did you have any Change Orders? About how many? **NO**
3. Was Masci on time and within budget? **NO. THEY HAD THEIR PIPE WORK DONE QUICKLY BUT TOOK ALMOST A YEAR TO COMPLETE THE ELECTRICAL WORK. THE CITY OF GREEN COVE SPRINGS OPTED NOT TO ASSESS LIQUIDATED DAMAGES BECAUSE THEY DID NOT HAVE ENOUGH LD'S LISTED IN THE CONTRACT TO MAKE IT WORTH THE HASSLE OF FIGHTING WITH THEM.**
4. Would you use Masci Corporation again? **NO**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **2**

Masci Corporation – References City of Palatka

**Woody Bownton – City Manager / Public Works Director
(386) 329-0100 ext 231 – Aug 5, 2010
(Left Message) – He called back Aug 6, 2010**

1. Overall were you happy with Masci's performance?
2. Did you have any Change Orders? About how many?
3. Was Masci on time and within budget?
4. Would you use Masci Corporation again?
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp?

Woody Bownton called back at 3:50pm on Aug 5, 2010 and advised that the City of Palatka threw out all of the bids because they were too far over budget and Masci was the apparent low bidder. So the City of Palatka never actually contracted with them.

Masci Corporation – References City of Ormond Beach

**John Noble – City Engineer
(386) 676-3269 – Aug 9, 2010
(Left Message) – He returned call on Aug 12, 2010**

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **YES**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **3.5**

Masci Corporation – References City of Port Orange

**Fred Griffith – Public Utilities Engineer and Project Manager
(386) 506-5577 – Aug 9, 2010**

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **YES BUT NOT CAUSED BY MASCI.**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **4.5 – 5.0**

**Andrew Gianinni – Quentin Hampton Project Manager
(386) 761-6810 – Aug 9, 2010**

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **YES BUT NOT CAUSED BY MASCI.**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **3.5 - 4**

Masci Corporation – References Town of Ponce Inlet

**Keith Gunter – General Manager of Public Works
(386) 236-2150 – Aug 9, 2010
(Left Message) – He called back on Aug 10, 2010**

1. Overall were you happy with Masci's performance? **MOSTLY. THEY HAD 2 FIELD SUPERVISORS THAT WOULD BE THERE ON SEPARATE DAYS, AND THOSE 2 DIDN'T COORDINATE WELL WITH EACH OTHER.**
2. Did you have any Change Orders? About how many? **YES BUT NOT CAUSED BY MASCI.**
3. Was Masci on time and within budget? **YES. THEY WERE MAYBE TOO FAST. HIT EVERY UTILITY IN THE GROUND. BEFORE ANYONE COULD COMPLAIN, MASCI WAS FINISHED WITH THE PROJECT.**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **3**

Masci Corporation – References City of Flagler Beach

**Robert Smith – Public Works Director / City Engineer
(386) 517-2000 – Aug 9, 2010
(Left Message) – He called back Aug 10, 2010**

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **YES BUT NOT CAUSED BY MASCI.**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **4**

Masci Corporation – References Volusia County

Todd Buckles – Construction Manager

(386) 736-5967 – Aug 9, 2010

(Left Message) – I called him back on Aug 17, 2010

1. Overall were you happy with Masci's performance? **NO**
2. Did you have any Change Orders? About how many? **YES, BUT GENERATED BY THE COUNTY. THE PROBLEM WAS IN THE NEGOTIATION STAGE OF APPROVING THE CHANGE ORDERS. MASCI WAS VERY DIFFICULT TO NEGOTIATE WITH.**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **NO, IF THEY HAD A CHOICE. THE COUNTY WAS ABLE TO SUCCESSFULLY DISQUALIFY THEM FOR A WASTE WATER TREATMENT PLANT PROJECT BECAUSE MASCI COULD NOT DEMONSTRATE THAT THEY HAD PAST EXPERIENCE IN DOING SUCH A PROJECT.**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp?

Todd further commented that Ivanna Masci was the project superintendent for a particular project and did not do a good job managing the project.

Martin, Michelle

From: Brangaccio, Pam
Sent: Tuesday, August 24, 2010 11:24 PM
To: Otte, Tony; Martin, Michelle
Subject: Fw: Inquiry

FYI for inclusion. Also will need to revise the MOUs...still an idea on joint mtg with UC on afternoon of the 14th as well.

Sent using BlackBerry

-----Original Message-----

From: Debbie Simmons <dsimmons@ucnsb.org>
To: UC Commissioners <UCCommissioners@ucnsb.org>; External Email for William Preston <bprestonjd@aol.com>; CEO GM <ceo-gm@ucnsb.org>
CC: City Commissioners <CityCommissioners@ucnsb.org>; Bledsoe, Johnny <jbledsoe@cityofnsb.com>; Brangaccio, Pam <pbrangaccio@cityofnsb.com>
Sent: Tue Aug 24 16:49:44 2010
Subject: FW: Inquiry

FORWARDING ON BEHALF OF UC GM/CEO -

There have been previous inquiries regarding the condition of the U.C.'s infrastructure within the Mary and Orange streetscape areas.

As previously stated, the U.C.'s infrastructure within these two areas is sufficient for current use, the mains in this area have been assessed, videos performed, and they are performing normally. Most mains can be repaired to extend life if necessary versus replacement and expectant life. Said life, which is based on many variables for each specific location, can easily be 50 to 100 years. Understand the mains are a primary asset versus paving or road resurfacing for which typical life expectancy is 10 to 20 years.

Determinations have been made by Engineering and various departments regarding the U.C.'s infrastructure and there are no plans for renewal and replacement in these areas for the next 10 years as shown in the U.C.'s 2010-2020 CIP.

Ray Mitchum

Attachment D



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	N	\$	\$
Gibbs & Register, Inc	\$	Y	N	Y	N	\$	\$
Britt Construction, Inc	\$ 1,009,766.00	(Y)	N	(Y)	(Y)	\$ 81,458.00	\$ 1,091,224.00
Cathcart Contracting Company	\$	Y	N	Y	N	\$	\$
P & S Paving, Inc	\$	Y	N	Y	N	\$	\$
Masci Corporation	\$ 717,601.70	(Y)	N	(Y)	(Y)	\$ 67,550.00	\$ 785,151.70
A.P.E.C., Inc	\$	Y	N	Y	N	\$	\$
ThadCon LLC	\$ 743,612.50	(Y)	N	(Y)	(Y)	\$ 55,435.00	\$ 799,047.50 794,047.50
Halfax Paving, Inc	\$	Y	N	Y	N	\$	\$
Pospiech Contracting, Inc	\$	Y	N	Y	N	\$	\$
Traffic Control Devices	\$	Y	N	Y	N	\$	\$
Crossroads Site Development & Underground	\$	Y	N	Y	N	\$	\$
Utilities, LLC	\$	Y	N	Y	N	\$	\$
Semper Fi Services, LLC	\$	Y	N	Y	N	\$	\$
Kirton Enterprises, Inc	\$	Y	N	Y	N	\$	\$
Gomez Construction Company	\$	Y	N	Y	N	\$	\$
Hazen Construction LLC	\$	Y	N	Y	N	\$	\$
A&M SI Construction Company	\$	Y	N	Y	N	\$	\$

Signature: [Signature]
 Witness # 1: [Signature] 7/27/10
 Witness # 2: [Signature] 7/27/10

Date: 7/27/10
 Date: _____
 Date: _____

Attachment E

MASCI CORPORATION

GENERAL CONTRACTORS

5752 S. RIDGEWOOD AVE. PORT ORANGE, FL 32127

Tel. (386) 322-4500 : FAX (386) 322-4600

-----LETTER OF TRANSMITTAL-----

DATE: 08/02/2010

TO: City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, FL 32168

Project:
South Orange St.
Streetscape and Dowing St.
Parking Lot Improvement 2009

Attn.: Michelle Martin

WE ARE TRANSMITTING THE FOLLOWING:

X	ATTACHED TRACINGS SHOP DRAWINGS	UNDER SEPARATE COVER VIA _____ SPECIFICATIONS COPY OF LETTER	PRINTS SAMPLE
---	---------------------------------------	--	------------------

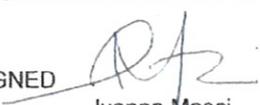
COPIES	DATE	DESCRIPTION
1	08/02/2010	Revised Bid Tab

	FOR YOUR USE FOR REVIEW AND COMMENT	APPROVED AS SUBMITTED APPROVED AS NOTES
X	AS REQUESTED APPROVAL REQUESTED	NOT APPROVED - RESUBMIT SIGN FOR APPROVAL AND RETURN

REMARKS:

COPY TO: FILE

SIGNED


Ivanna Masci
Vice President

IF ENCLOSURES ARE NOT AS NOTED, PLEASE NOTIFY US AT ONCE.

Attachment F (6 pages)

Revised

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
1	ROADWAY 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 POLUTION 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.-

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			\$	\$ 273,706.-
	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 ERCP (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	\$	\$
				6,500	3,250.-

	DRIVEWAYS (INCLUDING SIDEWALK CURB RAMPS & DETECTABLE WARNING SURFACES)					2,025.- (21)
47	4" CONCRETE SIDEWALK	90	SY	\$ 22.50	\$ 2,025.-	
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			\$	\$ 97,660.- (24)	\$ 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 BID:

TOTAL - \$ 717,331.70
 (21) Three Hundred Thirtyone Dollars
 Seven Hundred seventeen Thousand Six Hundred one Dollars and
 Seventy Cents
 (Use Words)

\$ 717,601.70 717,331.70 (21)
 (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 @ LYTLE 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)

ORANGE STREET STREETSCAPE

PHASE I: CANAL STREET - LITTLE AVENUE

City of New Smyrna Beach, Florida
 CIVIL, HARDSCAPE, LANDSCAPE, AND ELECTRICAL CONSTRUCTION DOCUMENTS

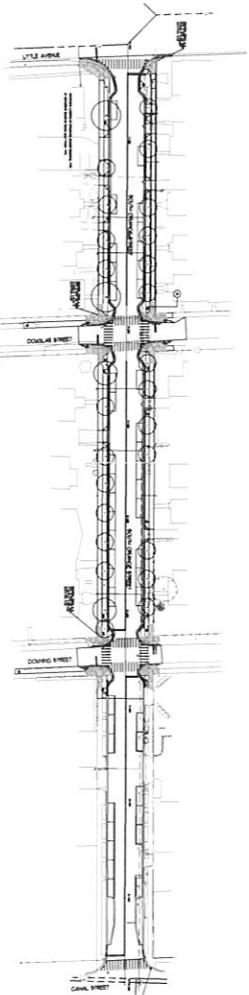
Issued For:
 BID AND CONSTRUCTION SET
 NOVEMBER 2009

Prepared For:
 CITY OF NEW SMYRNA BEACH, FLORIDA

230 Santa Avenue
 New Smyrna Beach, Florida 32758
 (386) 424-2160
 Contact: Kevin Fall



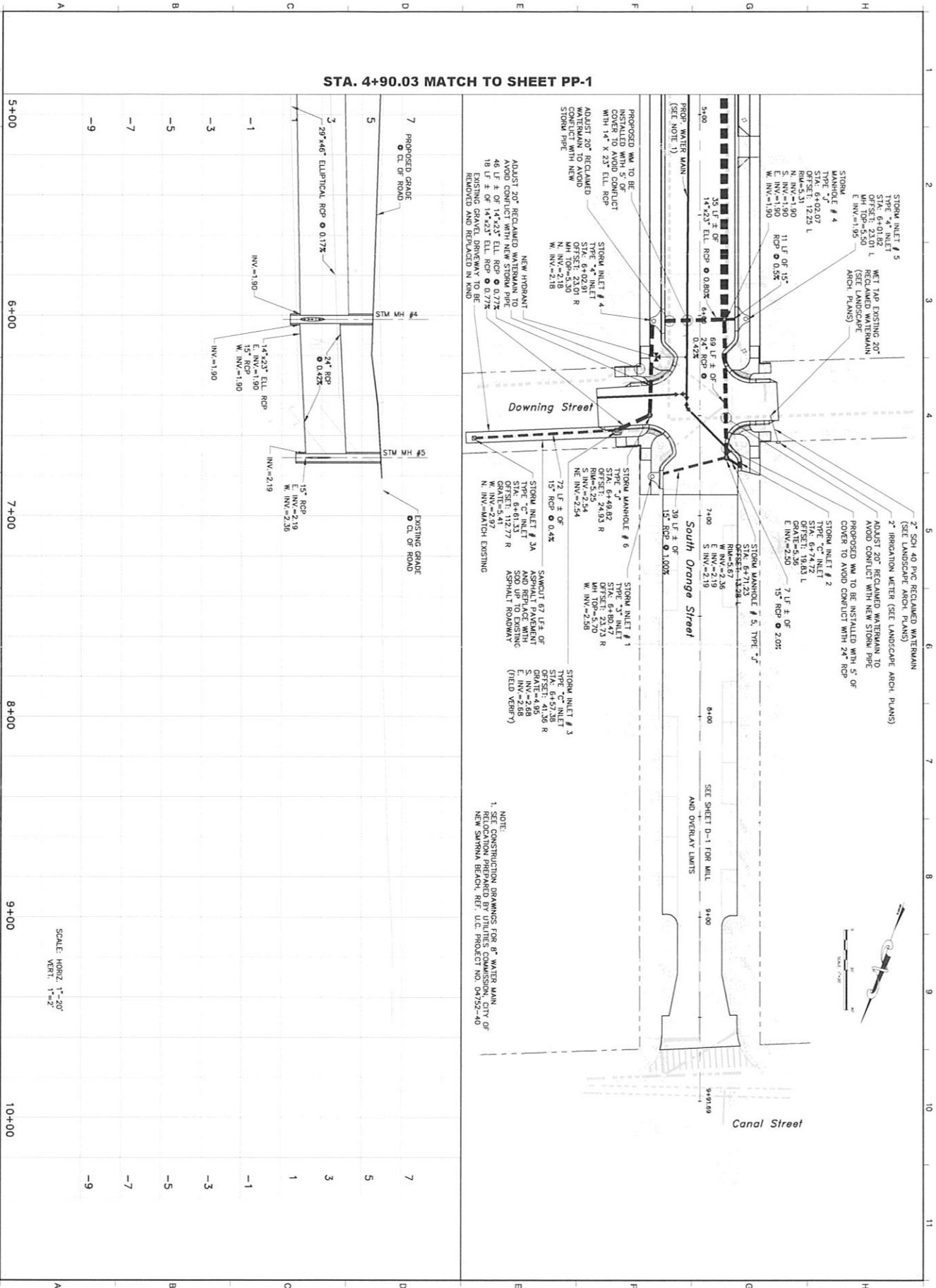
Glatting Jackson Kercher Arnglin Lopez Rinnehart, Inc.
 Landscape Architecture and Planning
 301 East New Street
 Suite 1000
 New Smyrna Beach, Florida 32758
 Phone: (386) 424-2160
 Fax: (386) 424-2160
 Contact: Kevin Fall, P.E.



ORANGE STREET LOCATION MAP
 SCALE: 1" = 50'

SHEETS

CIVIL ENGINEERING	
CONSULT	001
GENERAL NOTES	002
C-1	003
C-2	004
C-3	005
C-4	006
C-5	007
C-6	008
C-7	009
C-8	010
C-9	011
C-10	012
C-11	013
C-12	014
C-13	015
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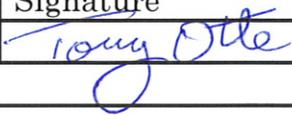


NOTE:
 1. RELOCATION PREPARED BY UTILITIES COMMISSION, CITY OF NEW SWRNA BEACH, REF. U.C. PROJECT NO. 04752-40

SCALE: HORIZ. 1"=20'
 VERT. 1"=2'

		33 Third Pine Street Orlando, FL 32801 P: 407 843 6532 F: 407 830 1789
PROJECT AND OWNER ORANGE STREET CANAL STREET 10 LITTLE AVENUE		
CITY OF NEW SWRNA BEACH FLORIDA		
CONSULTANTS g&g consultants 1111 N. PARKWAY, SUITE 1000 FORT LAUDERDALE, FL 33304		
PROJECT NO. 04752-40 PROJECT TITLE UTILITY PLAN AND PROFILE EDWIN, 3B		
DRAWN BY: [Name] CHECKED BY: [Name] DATE: [Date]		
SHEET 7 OF 18		

CRA AGENDA ITEM SUMMARY

Staff Member Making Request:		Michelle Martin								
Meeting Date: <u>9/8/2010</u>										
Action Item Title: Mary Avenue Streetscape Project, Phase I – 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 Mary Avenue Streetscape Project – Phase I was designed for complete reconstruction of the stormwater system, upgrading a section of the potable water system with new 6" water main system and fire hydrants, complete reconstruction of the sanitary gravity sewer system, complete reconstruction of the roadway and sidewalk, new 8 FT multi-use trail, new streetlight system, landscaping, and irrigation, from N Myrtle Avenue to US1.</p> <p>The Utilities Commission (UC) was committed to partnering with the City by funding the design and reconstruction of the potable water system, fire hydrants, and the sanitary gravity sewer system (see Attachment A, December 2006 email correspondence between Jim White and Shannon Lewis), however near the completion of the design stage of the project the UC advised in a May 2009 meeting that they were no longer going to participate with the funding of this project. This project was fully designed to remove a section of the existing 4" cast iron (CI) water main and replace with a new 6" C-900 water main which would be large enough to meet the current capacity for increased demands for potable water as well as fire protection, and also to replace the existing 8" vitrified clay (VC) gravity sewer with a new 8" SDR-35 PVC sanitary gravity sewer system. In the early stage of the design process the Utilities Commission was committed to funding and upgrading their infrastructure while the City was doing the same by upgrading the City stormwater systems and reconstructing the roadways as part of the City Streetscape Projects.</p> <p>In an effort to keep the project moving forward, Staff drafted a Memorandum of Understanding between the City and the Utilities Commission (see Attachment B), proceeded with completing the design and construction bid documents, placing the UC infrastructure line items as bid alternates, and advertised the project for bid proposals. The bid opening for the Mary Avenue Streetscape Project – Phase I was conducted on July 27, 2010 and the following were the results (base bid + bid alternates):</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 apparent lowest responsive bidder. Staff has completed a thorough review of Masci Corporation's references (see Attachment C which contains the reference responses from fourteen local governments).</p> <p>Since the total bid amounts came in lower than the amount currently budgeted for this project (\$1,522,845) Staff recommends awarding the contract to Masci Corporation, however due to a recent email from the UC General Manager/CEO (see Attachment D), the bid alternate line items (new 6" water main system and fire hydrants, complete reconstruction of the sanitary gravity sewer system) will not be constructed.</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, not including Bid Alternate line items, for an amount of \$729,270.72.</p>										
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommended funding account:										
<p>Exhibits Attached:</p> <p>Attachments: Dec 2006 email correspondence (Attachment A), Memorandum of Understanding (Attachment B), Masci Corp References (Attachment C), email correspondence from UC General Manager/CEO (Attachment D), Bid Opening Sheet (Attachment E), Masci Corp Bid Tabulation Sheets (Attachment F), and Project Utility Plan Sheets (UPP-1, UPP-2, and UPP-3)</p>										
Reviewed By:	Name	Signature								
Department Director:	Tony Otte									
Commission Action:										

Martin, Michelle

From: Foster, Noeleen
Sent: Tuesday, December 11, 2007 4:53 PM
To: Fall, Kevin; Martin, Michelle
Subject: FW: Project Financing

FYI - Noeleen

From: Jim White [mailto:jdwhite@ucnsb.org]
Sent: Monday, March 19, 2007 5:00 PM
To: Foster, Noeleen
Cc: Laurie Klinkenberg; Dave Hoover; Ray Mitchum
Subject: FW: Project Financing

Summary of earlier understandings on Orange, Mary, W, Canal, Others

jdwhite

From: Jim White
Sent: Thursday, December 21, 2006 7:56 AM
To: 'Lewis, Shannon'
Cc: Robert Rodi; Dave Hoover; Ray Mitchum; Enrique Torrens; Randy Walter
Subject: RE: Project Financing

Shannon-

1. Dave Hoover or his designee is POC for soft digs
2. UC expects to cover cost of Mary Street W&S work – Myrtle to US1, expects to invoice CNSB for power & light
3. UC expects to cover water line in Orange. expects to invoice CNSB for power & light.
4. UC is not planning any expenses in W. Canal St.- understands FDOT is budgeting grant funds of approx \$950K
5. UC does not now participate in cost of “undergrounding” overhead facilities, an old policy of 15% has been ended.
6. UC does not plan to participate in cost of “renewal” type projects in future beyond above items.

MERRY CHRISTMAS !!!!

James D. White, P.E.
Engineering Director
Utilities Commission, City of New Smyrna Beach
200 Canal Street
New Smyrna Beach, Florida 32168
Phone 386-424-3020
Fax 386-409-4720
Email: jdwhite@ucnsb.org

From: Lewis, Shannon [mailto:slewis@cityofnsb.com]
Sent: Monday, December 18, 2006 1:56 PM
To: Jim White
Cc: Randy Walter; Fegley, Kyle; Martin, Michelle
Subject: Project Financing

Jim,

Attachment A (2 pages)

We are planning to do the soft digs on Mary Avenue once GAI sends us plans indicating where they need them and how deep/wide (still checking on the TVing). We will be handling the Phase 1 archeological study as well. A final decision on the additional stormwater improvements has not been made yet.

It is my understanding, based on our earlier discussions and your approved scope with GAI that the UC is funding the water and sewer improvement portions only--both design and construction. We will make sure that the contractor bids the items separately so that you can easily determine the cost allocations.

On Orange Street, it has been my understanding from old memos (prior to your or my involvement) that the UC would be financing any water/sewer upgrades (construction) to Orange and it would be in conjunction with the City's stormwater/streetscape. Is this your understanding? I was planning to bid the project in the same manner as Mary with the items clearly delineated. I want to make sure we are on the same financing page.

In addition to the above two projects, the City is also planning a design-build project for improvements to West Canal Street between the RR and Myrtle Avenue. Bids are due March 15. With this streetscape will also be a DOT canal lining project that we are overseeing. Previous correspondence from the City mentioned that the UC would fund any upgrades they may wish to do, but I never saw any correspondence back. We are planning to have the entire area open since we will be reconstructing the street and I wanted to ask if there were any upgrades you were interested in undertaking in conjunction with this project.

Also, at the time this was originally discussed, the UC would pay 1/3 the cost of undergrounding utilities. Is this still an option? Please let me know what you would like to do about West Canal.

Thanks, Jim. Happy Holidays.

Shannon Lewis



COMMUNITY REDEVELOPMENT AGENCY

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



MEMORANDUM OF UNDERSTANDING

Mary Avenue Streetscape Project

August 31, 2010

The purpose of this Memorandum of Understanding (MOU), between the City of New Smyrna Beach/CRA and the Utilities Commission (UC), is to define the responsibilities of each party for the Mary Avenue Streetscape Project.

The Mary Avenue Streetscape Project consists of complete reconstruction of the stormwater system, complete reconstruction of the roadway and sidewalk, new 8 FT multi-use trail, new streetlight system, landscaping, and irrigation, from N Myrtle Avenue to US1. The construction plans have been reviewed and accepted by both parties.

Responsibilities of the City of New Smyrna Beach/CRA:

1. Advertise project for bidding, and approve contract for construction.
2. Fund construction of all line items relating to complete reconstruction of stormwater system, complete reconstruction of the roadway and sidewalk, new multi-use trail, new streetlight system, landscaping, and irrigation.
3. Manage all construction related activities described in item # 2.
4. Pay Utilities Commission cost of all potable water system, sanitary gravity sewer system, and power pole/line relocations.
5. Acquire required permits and pay all permit fees.

Responsibilities of the Utilities Commission:

1. Coordinate with the contractor and remove the existing streetlight system.
2. Relocate any potable water or sanitary sewer conflicts, and wooden power poles as per the construction plans, except where sidewalks can be re-routed.
3. Acceptance of MOU and construction drawings provided by the City of New Smyrna Beach by the General Manager/CEO and Director of Engineering.

The terms of this MOU are effective from the date of the construction Notice to Proceed until the date of project Final Acceptance.

Pam Brangaccio
City of New Smyrna Beach
City Manager

Ray Mitchum
Utilities Commission
General Manager / CEO

Date

Date

Attachment B

Masci Corporation – References City of St Augustine

**Tim Flemming – Purchasing Dept
(904) 825-1010 – Aug 4, 2010**

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **NO CHANGE ORDERS FOR CURRENT UTILITIES PROJECT**
3. Was Masci on time and within budget? **YES SO FAR**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **4**

**Marcus Pinson – Public Works Engineer
(904) 209-4278 – Aug 4, 2010
(Left Message) – He returned call on Aug 6, 2010**

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **YES, BUT IT WAS FOR SOMETHING THAT THE CITY INADVERTANTLY LEFT OUT OF THE CONTRACT, AND WAS EASILY CORRECTED WITH A C.O.**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **4**

Attachment C (12 pages)

Masci Corporation – References Quentin Hampton

**Gary Wisniewski - Senior Inspector
(386) 566-2928 – Aug 4, 2010**

1. Overall were you happy with Masci's performance? **YES, BY THE END OF THE PROJECT QLH WAS HAPPY WITH MASCI'S PERFORMANCE. DURING THE PROJECT QLH WASN'T SURE BUT TOWARDS THE END "MASCI MADE IT RIGHT".**
2. Did you have any Change Orders? About how many? **YES BUT NOT CAUSED BY MASCI.**
3. Was Masci on time and within budget? **FOR THE MOST PART**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **3.5 to 4**

Further comments were that Masci was bad with their paperwork. Mistakes with their pay requests and shop drawings, and their resubmittals would have different mistakes...needed lots of review by QLH. And the materials delivered to the jobsite would be different from their shop drawings...bad internal communication between office staff and field staff. Again lots of review and oversight required by QLH.

Masci Corporation – References City of Oviedo

**Tony Segreto – Public Works Director
(407) 971-5641 – Aug 5, 2010
(Left Message) – He returned call on Aug 9, 2010**

1. Overall were you happy with Masci's performance? **NO**
2. Did you have any Change Orders? About how many?
3. Was Masci on time and within budget?
4. Would you use Masci Corporation again? **NO**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **2**

Tony Segreto was not employed with the City of Oviedo when the project was under way that the City of Oviedo was sued for by Masci Corporation. However he was with the City when the jury trial was underway. Tony Segreto explained that Masci Corp installed the wrong type of pipe for a reclaimed water main. They installed blue pipe when it should have been purple. The City tried to make them replace it and the issue wound up in court with a jury trial. The City lost and Masci Corp was apparently awarded \$800k.

Masci Corporation – References City of Casselberry

**Tony Segreto – Former Public Works Director for the City of Casselberry
(407) 971-5641 – Aug 9, 2010**

1. Overall were you happy with Masci's performance? **NO**
2. Did you have any Change Orders? About how many? **SEVERAL BUT MOST NOT MASCIS FAULT. HOWEVER ONE OF THE CHANGE ORDERS WAS TO ADD TIME TO THE PROJECT. CITY OF CASSELBERRY DIDN'T WANT TO GO THRU THE HASSLE OF CHARGING LIQUIDATED DAMAGES BECAUSE MASCIS WAS SO HARD TO DEAL WITH, "VERY LETIGIOUS, ALWAYS SENDING LETTERS FROM THEIR LAWYERS ABOUT ISSUES".**
3. Was Masci on time and within budget? **NO. ALWAYS BEHIND SCHEDULE.**
4. Would you use Masci Corporation again? **NO**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **2**

Masci Corporation – References CPH Engineering

**David Mahler – Engineer of Record for the Oviedo Project
(407) 425-0452 – Aug 9, 2010**

1. Overall were you happy with Masci's performance?
2. Did you have any Change Orders? About how many?
3. Was Masci on time and within budget?
4. Would you use Masci Corporation again?
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp?

Mr Mahler declined to answer these questions since he was the Engineer of Record on the Oviedo Project that went to litigation. But he did tell me that when the project went into litigation Masci did not complete the project, the City of Oviedo had to hire another contractor to finish the project, and the blue pipe in question was abandoned.

Masci Corporation – References City of Green Cove Springs

**Mike Null – Public Works Director
(904) 529-2216 – Aug 5, 2010
(Left Message) – He called back Aug 6, 2010**

1. Overall were you happy with Masci's performance? **NO**
2. Did you have any Change Orders? About how many? **NO**
3. Was Masci on time and within budget? **NO. THEY HAD THEIR PIPE WORK DONE QUICKLY BUT TOOK ALMOST A YEAR TO COMPLETE THE ELECTRICAL WORK. THE CITY OF GREEN COVE SPRINGS OPTED NOT TO ASSESS LIQUIDATED DAMAGES BECAUSE THEY DID NOT HAVE ENOUGH LD'S LISTED IN THE CONTRACT TO MAKE IT WORTH THE HASSLE OF FIGHTING WITH THEM.**
4. Would you use Masci Corporation again? **NO**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **2**

Masci Corporation – References City of Palatka

**Woody Bownton – City Manager / Public Works Director
(386) 329-0100 ext 231 – Aug 5, 2010
(Left Message) – He called back Aug 6, 2010**

1. Overall were you happy with Masci's performance?
2. Did you have any Change Orders? About how many?
3. Was Masci on time and within budget?
4. Would you use Masci Corporation again?
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp?

Woody Bownton called back at 3:50pm on Aug 5, 2010 and advised that the City of Palatka threw out all of the bids because they were too far over budget and Masci was the apparent low bidder. So the City of Palatka never actually contracted with them.

Masci Corporation – References City of Ormond Beach

**John Noble – City Engineer
(386) 676-3269 – Aug 9, 2010
(Left Message) – He returned call on Aug 12, 2010**

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **YES**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **3.5**

Masci Corporation – References City of Port Orange

**Fred Griffith – Public Utilities Engineer and Project Manager
(386) 506-5577 – Aug 9, 2010**

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **YES BUT NOT CAUSED BY MASCI.**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **4.5 – 5.0**

**Andrew Gianinni – Quentin Hampton Project Manager
(386) 761-6810 – Aug 9, 2010**

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **YES BUT NOT CAUSED BY MASCI.**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **3.5 - 4**

Masci Corporation – References Town of Ponce Inlet

**Keith Gunter – General Manager of Public Works
(386) 236-2150 – Aug 9, 2010
(Left Message) – He called back on Aug 10, 2010**

1. Overall were you happy with Masci's performance? **MOSTLY. THEY HAD 2 FIELD SUPERVISORS THAT WOULD BE THERE ON SEPARATE DAYS, AND THOSE 2 DIDN'T COORDINATE WELL WITH EACH OTHER.**
2. Did you have any Change Orders? About how many? **YES BUT NOT CAUSED BY MASCI.**
3. Was Masci on time and within budget? **YES. THEY WERE MAYBE TOO FAST. HIT EVERY UTILITY IN THE GROUND. BEFORE ANYONE COULD COMPLAIN, MASCI WAS FINISHED WITH THE PROJECT.**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **3**

Masci Corporation – References City of Flagler Beach

Robert Smith – Public Works Director / City Engineer
(386) 517-2000 – Aug 9, 2010
(Left Message) – He called back Aug 10, 2010

1. Overall were you happy with Masci's performance? **YES**
2. Did you have any Change Orders? About how many? **YES BUT NOT CAUSED BY MASCI.**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **YES**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp? **4**

Masci Corporation – References Volusia County

Todd Buckles – Construction Manager

(386) 736-5967 – Aug 9, 2010

(Left Message) – I called him back on Aug 17, 2010

1. Overall were you happy with Masci's performance? **NO**
2. Did you have any Change Orders? About how many? **YES, BUT GENERATED BY THE COUNTY. THE PROBLEM WAS IN THE NEGOTIATION STAGE OF APPROVING THE CHANGE ORDERS. MASCI WAS VERY DIFFICULT TO NEGOTIATE WITH.**
3. Was Masci on time and within budget? **YES**
4. Would you use Masci Corporation again? **NO, IF THEY HAD A CHOICE. THE COUNTY WAS ABLE TO SUCCESSFULLY DISQUALIFY THEM FOR A WASTE WATER TREATMENT PLANT PROJECT BECAUSE MASCI COULD NOT DEMONDSTRATE THAT THEY HAD PAST EXPERIENCE IN DOING SUCH A PROJECT.**
5. On a scale of 1 to 5 (1=worst, 5=best) how would you rank Masci Corp?

Todd further commented that Ivanna Masci was the project superintendent for a particular project and did not do a good job managing the project.

Martin, Michelle

From: Brangaccio, Pam
Sent: Tuesday, August 24, 2010 11:24 PM
To: Otte, Tony; Martin, Michelle
Subject: Fw: Inquiry

FYI for inclusion. Also will need to revise the MOUs...still an idea on joint mtg with UC on afternoon of the 14th as well.

Sent using BlackBerry

-----Original Message-----

From: Debbie Simmons <dsimmons@ucnsb.org>
To: UC Commissioners <UCCommissioners@ucnsb.org>; External Email for William Preston <bprestonjd@aol.com>; CEO GM <ceo-gm@ucnsb.org>
CC: City Commissioners <CityCommissioners@ucnsb.org>; Bledsoe, Johnny <jbledsoe@cityofnsb.com>; Brangaccio, Pam <pbrangaccio@cityofnsb.com>
Sent: Tue Aug 24 16:49:44 2010
Subject: FW: Inquiry

FORWARDING ON BEHALF OF UC GM/CEO -

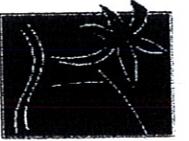
There have been previous inquiries regarding the condition of the U.C.'s infrastructure within the Mary and Orange streetscape areas.

As previously stated, the U.C.'s infrastructure within these two areas is sufficient for current use, the mains in this area have been assessed, videos performed, and they are performing normally. Most mains can be repaired to extend life if necessary versus replacement and expectant life. Said life, which is based on many variables for each specific location, can easily be 50 to 100 years. Understand the mains are a primary asset versus paving or road resurfacing for which typical life expectancy is 10 to 20 years.

Determinations have been made by Engineering and various departments regarding the U.C.'s infrastructure and there are no plans for renewal and replacement in these areas for the next 10 years as shown in the U.C.'s 2010-2020 CIP.

Ray Mitchum

Attachment D



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)	\$ 158,303.40	\$ 1,337,550.90
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
Halifax 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]
 Witness # 1: [Signature] 7/27/10
 Witness # 2: [Signature] 7/27/10

Date: 7/27/10
 Date: _____
 Date: _____

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

Attachment F (7 pages)

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 - \$ 7,29,270.72

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)

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 Mase Corporation
5752 S Bridgewood 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

Ivan Mase, Vice President
Name of Bidder and Title (Type or Print)

BY: [Signature]
Signature of Bidder

Mase Corporation

5752 S Bridgewood Ave

Port Orange, FL 32127
Corporation Name & Address

(SEAL, if by a Corporation)

MARY AVENUE STREETSCAPE

N. MYRTLE AVENUE TO US-1

City of New Smyrna Beach, Florida

CIVIL, LANDSCAPE, AND IRRIGATION CONSTRUCTION DOCUMENTS

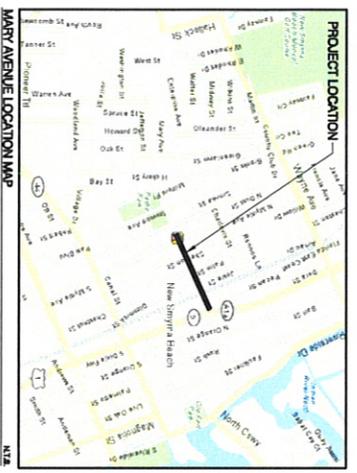
Issued For:

30% REVIEW: JULY 31, 2006
 60% REVIEW: OCTOBER 4, 2006
 90% REVIEW: MARCH 28, 2007
 100% REVIEW: JULY 9, 2007
 BID SET: JULY 7, 2009

100% BID & CONSTRUCTION SET JANUARY 29, 2010

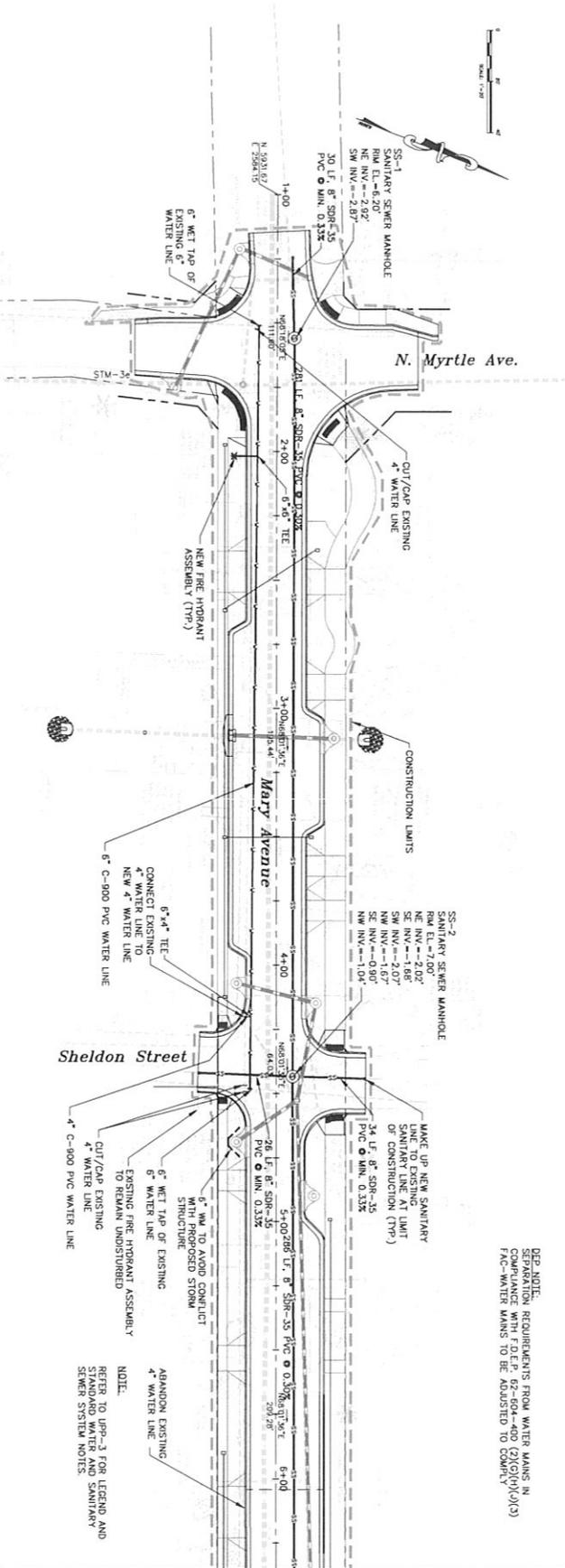
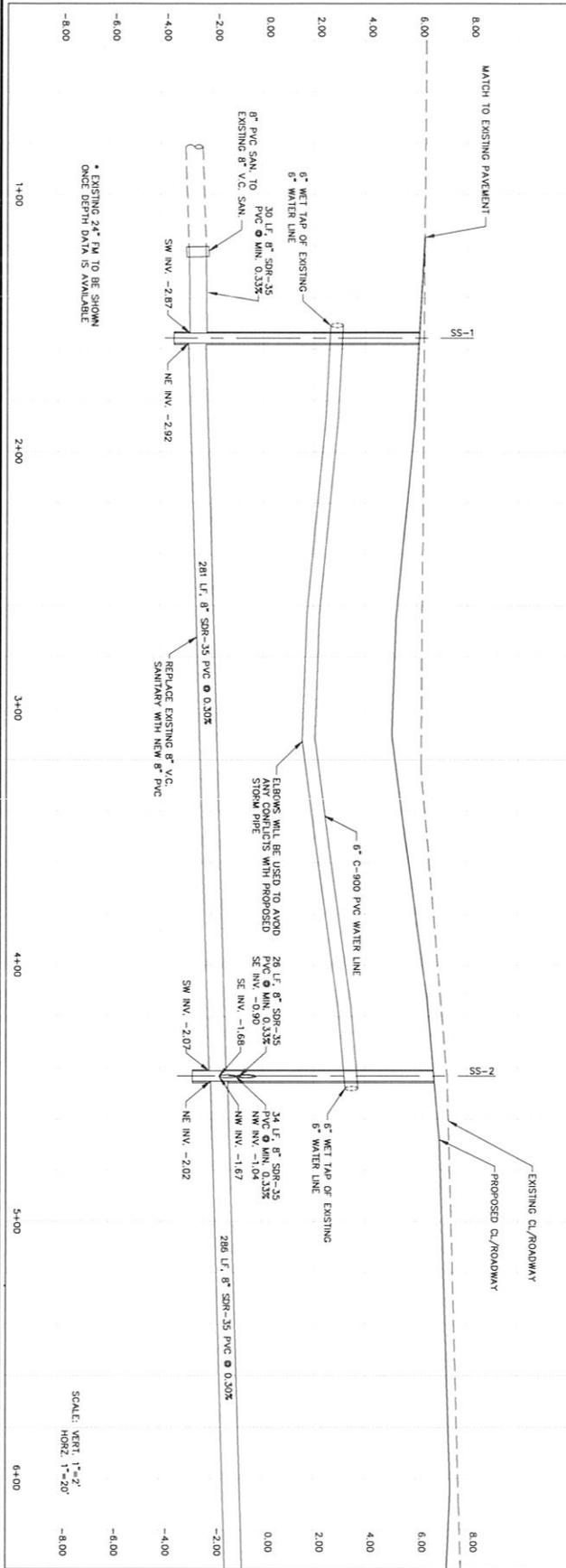
Prepared For:
 CITY OF NEW SMYRNA BEACH, FLORIDA

210 Sans Avenue
 New Smyrna Beach, Florida 32188
 Phone: (386) 424-2185
 Contact: Michelle Marsh



Sheet List Table

Sheet Number	Sheet Title
-	COVER
00-1	GENERAL NOTES
EX-1	EXISTING CONDITIONS
EX-2	EXISTING CONDITIONS
D-1	DEVELOPMENT PLAN
D-2	DEVELOPMENT PLAN
D-3	DEVELOPMENT PLAN
HM-1	HORIZONTAL AND VERTICAL CONTROL PLAN
HM-2	HORIZONTAL AND VERTICAL CONTROL PLAN
HM-3	HORIZONTAL AND VERTICAL CONTROL PLAN
UPP-1	UTILITIES PLAN AND PROFILE
UPP-2	UTILITIES PLAN AND PROFILE
UPP-3	UTILITIES PLAN AND PROFILE
PP-1	ROADWAY PLAN AND PROFILE
PP-2	ROADWAY PLAN AND PROFILE
PP-3	ROADWAY PLAN AND PROFILE
SL-1	STREET LIGHT PLAN
SL-2	STREET LIGHT PLAN
CP-1	STORMWATER POLLUTION PREVENTION DETAILS
CP-2	ROADWAY AND STORMWATER DETAILS
CP-3	WATER DETAILS
CP-4	SANITARY DETAILS
CP-5	SANITARY DETAILS
PM-1	PAVEMENT MARKING AND SIGNAGE PLAN
PM-2	PAVEMENT MARKING AND SIGNAGE PLAN
LS-1	LANDSCAPE PLAN
LS-2	LANDSCAPE PLAN
IR-1	IRRIGATION PLAN
IR-2	IRRIGATION PLAN
IR-3	IRRIGATION DETAILS



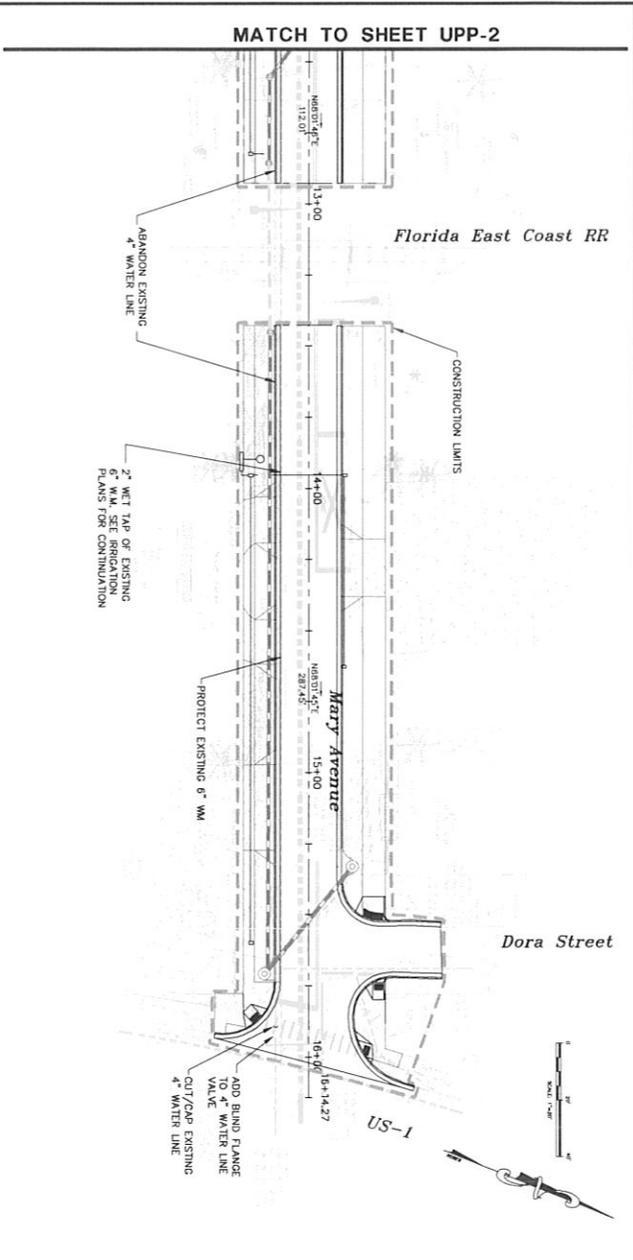
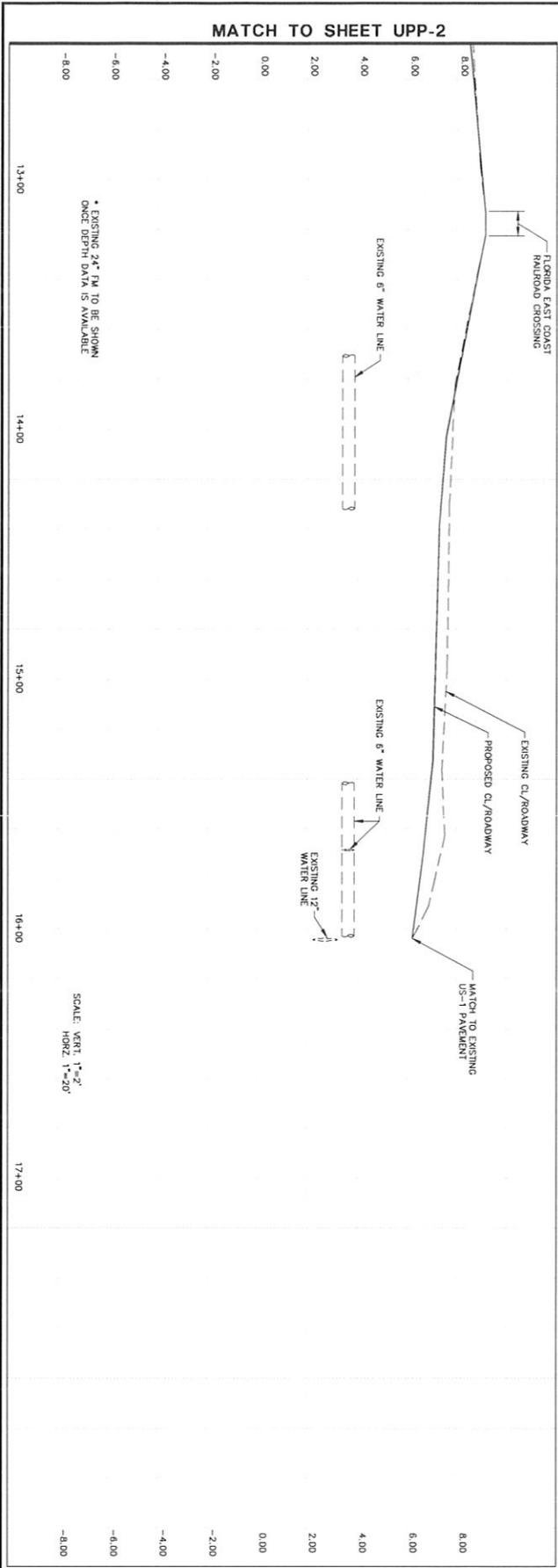
gal consultants
INCORPORATED
10101 W. BOYD BLVD.
SUITE 100
BOYDTON, FL 32009
TEL: 904.222.1100
FAX: 904.222.1101
WWW.GALCONSULTANTS.COM

PROJECT NO: UPP-1
SHEET NO: 02

UTILITIES PLAN AND PROFILE

MARY AVENUE STREETScape NEW SMYRNA BEACH, FLORIDA

NO.	DATE	BY	CHKD	REVISIONS
1	07-31-06	JBR	KSH	
2				
3				
4				
5				



LEGEND & ABBREVIATIONS

- PROPERTY LINE
- EXISTING FEATURES
- PROPOSED FEATURES
- HIGH POINT
- PROPOSED FIRE HYDRANT
- PROPOSED STORM LINE
- PROPOSED SANITARY GRAVITY LINE
- PROPOSED WATER MAIN
- PROPOSED SURFACE FLOW ARROW

WATER SYSTEM NOTES:

- FOR ANY ACTIVE SERVICE LATERALS RELOCATED TO THE EXISTING WATER MAIN, THE EXISTING SERVICE LATERAL TIED TO THE EXISTING 6" WATER LINE TO THE EXISTING CURB/DRP CHANGERS FOR SERVICE STUDS TO OPEN LOTS.
- ANY HYDRANT TO BE RELOCATED TO THE EXISTING WATER MAIN. HYDRANT IS LESS THAN OR EQUAL TO 5 YEARS OLD.

SANITARY SYSTEM NOTES:

- REPLACE EXISTING 8" V.C. SANITARY LINE WITH NEW 8" PVC SANITARY LINE. REPLACE ALL EXISTING LATERALS WITH 4" OR 6" PVC LATERALS (AS APPLICABLE) TO RIGHT OF WAY LINES. PLACE NEW CURB/DRP CHANGERS FOR SERVICE STUDS TO OPEN LOTS.
- REPLACE EXISTING SUEL STREET SANITARY LINES TO LIMITS OF CONSTRUCTION AS SHOWN.

<p>UTILITIES PLAN AND PROFILE</p> <p>MARY AVENUE STREETSCAPE</p> <p>NEW SMYRNA BEACH, FLORIDA</p>		<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>CHKD.</th> <th>APP.</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	BY	CHKD.	APP.	DESCRIPTION						
NO.	DATE	BY	CHKD.	APP.	DESCRIPTION									
<p>SCALE: VERT. 1"=2'</p> <p>DATE: 07-31-05</p> <p>DRAWN: JBR</p> <p>CHECKED: KSH</p> <p>APPROVED: DAS</p>	<p>PROJECT NO./JOB NO.</p> <p>A030027/02</p> <p>SHEET</p>	<p>gal consultants</p> <p>1111 NE 10th Street, Suite 100</p> <p>Fort Lauderdale, FL 33304</p> <p>PHONE: (954) 421-2888</p> <p>FAX: (954) 421-2888</p>												

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte

Meeting Date: September 8, 2010

Action Item Title: Independent Retail Move-in Incentive Program

Agenda Section: Consent _____ Public Hearing _____ Special Items x

Summary Explanation and Background

The purpose of the proposed Independent Retail Move-in Incentive Program is to provide an incentive for independent retail businesses from outside the City to locate to vacant leasable spaces within the CRA. This program was discussed at the July and August CRA meetings as well as a meeting held August 17 with Canal St property owners and Ned Harper of the Small Business Development Center, Daytona State College. Suggestions received for this program are as follows:

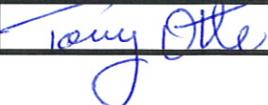
- Rent reasonableness needs to be assured. Staff suggests that the property owner justify the rent as measured against other comparable space rents as well as a history of rents charged for that space.
- The program's funding breakdown should be as follows: 50% from the tenant; 25% from the property owner; 25% from the CRA;
- The program should be limited to a list of target business types, such as retail businesses listed in the CRA Master Plan Update. In addition, the program should be limited to independent retailers.
- The program should be adopted for a one year trial basis, with an evaluation at year end to determine if the program is worth continuing. This will also eliminate the requirement proposed earlier for a minimum lease term of two years.
- Rather than put restrictions as to the number and type (full-time or part-time) of employees, simply have the business owner sign a statement that they will comply with all applicable wage laws.
- On the question of whether there should be a prohibition against new or start-up businesses, Ned Harper of the Small Business Development Center (SBDC) proposed that a new business would be acceptable if it were properly capitalized. The business also needs a business plan. Mr. Harper offered the services of the SBDC to review applications to give an opinion on compliance with these criteria.
- The program must be streamlined to enable a business to get approval quickly with a minimum of paperwork.

Recommended Action/Motion:

Approval

Funding Analysis: Budgeted x If not budgeted, recommend funding account:
Funding in the Business Incentives and Development line item

Exhibits Attached:

Reviewed By:	Name	Signature
CRA Director	Tony Otte	

Commission Action

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte

Meeting Date: September 8, 2010

Action Item Title: Contract for Services related to the Washington St Business District (Incubator)

Agenda Section: Consent_____ Public Hearing_____ Special Items__x__

Summary Explanation and Background

Ed Maurice is a registered architect with over 25 years of experience in managing capital projects, including the planning, design, and construction of over 100 institutional buildings in Florida (please see attached resume). He has now opened an office in DeLand.

Staff wishes to contract with Mr. Maurice to work as a consultant for the Washington St Business District (business incubator) project. This project proposes to use the building at the NW corner of Washington and Dimmick Sts as a business incubator. A lease would be prepared for this purpose, with the building leased at an agreed upon rate and the term would be until the cost of the renovations are exhausted.

It is anticipated that the tasks to be completed by Mr. Maurice on this project will include the following (tasks as specifically stated in the attached agreement):

1. Development of a building program delineating interior space requirements, inspection of the existing structure, feasibility analysis, project budget estimate, and conceptual and schematic design. It is anticipated that the building will need to be brought up to current building code standards. The specific uses of the building as an incubator also need to be planned. Mr. Maurice will prepare conceptual drawings and other materials to describe the work to be done on this project. These conceptual drawings would not be used for construction but rather as an indication of the size of the project and the scope of work. The contractors bidding on the project would then use their own architects in a design-build format. In addition, an estimated cost of the rehabilitation work will be provided.
2. Development of a Design Criteria Package pursuant to Florida Statutes. The design criteria package will guide the architect hired by the general contractor in the preparation of construction plans for the renovation work.
3. Evaluation of proposals and assistance in the preparation of the renovation contract. Mr. Maurice will assist with the preparation of evaluation criteria.
4. Assistance in construction administration. Mr. Maurice will assist with construction administration, including inspection of the work and review of the contractor's draw requests, and assistance in project closeout.

The City Attorney and Assistant City Manager were consulted regarding the process and contractual limits for the hiring of an architect for the above tasks.

It is anticipated that the first phase of work described above will take about 1 month. The second phase of work described above will take about 2 months.

Recommended Action/Motion:

Approve the attached contract with Edmond Maurice for services in an amount not to exceed \$35,000.

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

Funding will come from the Washington Street Business District line item in the CRA Capital Budget

Exhibits Attached:

- 1. Consulting Agreements
- 2. Mr. Maurice's Resume

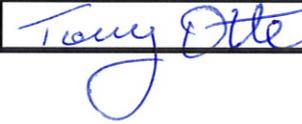
Reviewed By:

Name

Signature

CRA Director

Tony Otte



Commission Action

• **CONSULTING AGREEMENT**

This AGREEMENT made and entered into on this ____ day of ____ 2010 by and between the City of New Smyrna Beach's Community Redevelopment Agency (hereinafter referred to as "CRA") and Edmond M. Maurice, Registered Architect (hereinafter referred to as "Consultant").

WITNESSETH:

WHEREAS, the CRA desires to retain Consultant to provide architectural services related to procurement of a Design/Build firm for the implementation of the Washington Street Business Incubator project; and

WHEREAS, the CRA desires to engage the consultant to render certain services, or provide assistance more thoroughly described in this document, and

NOW, THEREFORE, in consideration of the premises and the mutual conditions and promises herein contained, the parties hereto agree as follows:

1. **Consulting Services**. Consultant shall furnish the CRA with his best advice, information, judgment and knowledge with respect to the procurement of a design builder based on a competitive selection process and the subsequent management of the design build firm's design and construction process, at the direction of the CRA Director.
2. **Term**. The term of this Agreement shall begin on October 1, 2010 and shall, subject to the provisions for termination set forth herein, continue until and terminate on September 30, 2011. The agreement may be extended in one year increments upon mutual agreement.
3. **Compensation**. For all services that Consultant renders to the CRA the CRA will pay Consultant \$100 per hour for consultant services not to exceed \$35,000 for the term of the contract. The schedule for all services provided under this contract requires pre-approval by the CRA Director and does not include time traveling to or from the City of New Smyrna Beach. For business travel within the New Smyrna Beach area the Consultant will have the CRA vehicle made available to him. All other travel, for which reimbursement will be sought, requires pre-approval by the CRA Director. For such travel, the Consultant will provide an invoice to the CRA on an as needed/as used basis. The Consultant shall be paid no later than 30 days after an invoice is submitted; however, the CRA shall make every effort to process invoices as soon as possible. Said invoice will include receipts when reimbursement is requested.

4. General Terms And Conditions

Consultant shall: Provide professional design and project management consulting services for planning, procurement and implementation of a design/build project for the renovation of an existing structure to be used as a Business Incubator. The schedule of services available is as follows:

- Development of a building program delineating interior space requirements
- Inspection of existing structure
- Feasibility analysis and project budget estimate
- Conceptual and Schematic design

- Development of a Design Criteria Package pursuant to Florida Statute 287.055(j) under the direction of the city's appointed Design Criteria Professional

- Development of an RFP for the Design/Build project

- Serve as the Design Criteria Professional's designated representative

- Develop design/build evaluation criteria
- Assist in the short listing of RFP respondents
- Evaluate the design/build proposals
- Assist in the development of the Design/Build Agreement and negotiations with selected design/build firm
- Review for approval the design/build firm's working drawing compliance with Design Criteria
- Provide construction management Owner's Representative services during construction
- Assist in project closeout

The CRA shall:

- Provide required site survey documents
- Provide as-built documents of existing structure
- Facilitate a code compliance evaluation of the existing structure performed by the CNSB Building Department
- Facilitate coordination with CNSB, State, County agencies as well as utility companies
- Provide the assistance of a structural engineer in evaluating code compliance requirement for existing structure and appoint the city's Director of Public Works as the Design Criteria Profession

5. **Termination.** This Agreement may be terminated by either party upon receipt of 30 day written notice.
6. **Relationship of Parties.** The CRA and Consultant are independent contractors. Both parties acknowledge and agree that Consultant's engagement hereunder is not exclusive, and that either party may provide to or retain from others similar such services provided that it does so in a manner that does not otherwise breach this Agreement. Neither party is, nor shall claim to be, a legal agent, representative, partner or employee of the other, and neither shall have the right or authority to contract in the name of the other nor shall it assume or create any obligations, debts, accounts or liabilities for the other.
7. **IN WITNESS WHEREOF,** the parties have executed this Agreement effective as of the date first written above.

State of Florida County of Volusia

Signed this day _____, 2010.

City of New Smyrna Beach

By: _____
Pam Brangaccio, City Manager

Date: _____

ID Provided: _____

Notary Public

Date: _____

Consultant

By: _____
Consultant

Date: _____

ID Provided: _____

Notary Public

Date: _____



**Edmond MacLeod Maurice, AIA, LEED AP,
CONSULTING ARCHITECT**

Office: 2235 River Ridge Road
Deland, FL 32720-4321
386 624-6894
305 336-2648 cell

Studio: 829 Werley Trail
Orange City, FL 32763
386 775-0994
Email: edmondmaurice@aol.com

PROFESSIONAL QUALIFICATIONS

B.S., Lowell Technological Institute; M.A. Architecture, University of Washington; Registered Architect (FL License #0010660); member American Institute of Architects, (AIA); certified by the U.S. Green Building Council (USGBC) as a Leadership in Energy and Environmental Design (LEED) Accredited Professional (AP).

More than 25 years experience in the planning, design, and construction of over one hundred institutional buildings in Florida. Specialist in program and project management services, including: Master Planning, Design Criteria, Conceptual Design, Contract Negotiation and Administration, and LEED Certification Process.

Twelve years as Director of Design for Broward County Schools and twelve years as Director of Design and Construction for the Broward County Commission.

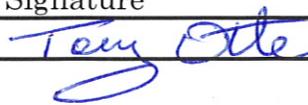
Accomplishments receiving statewide recognition:

- Design Criteria Professional and Director for \$300 million new school construction program. Developed and constructed Florida's first elementary, middle & high school prototype schools, based on sustainable and hurricane shelter design criteria.
- Director of \$140 million new county library program, completed on time and budget.
- Design Criteria Professional and Director for the first LEED certified public library in Florida and for nine subsequent LEED certified projects including libraries, office buildings, laboratories, and judicial and health care facilities.

CONSULTING SERVICES

- Planning: Master Planning, Feasibility Studies, Programming, Cost Estimating and Scheduling.
- Procurement: Selection process for design and construction professionals, review and evaluation of agreements.
- Design: Development of design criteria and conceptual design. Review and evaluation of drawings and specifications for compliance with design criteria.
- Construction: On-site construction inspection for compliance with contract & design criteria; review and evaluation of mock-ups, submittals, substitution proposals and contractor's requisitions for payment.
- Disaster Preparation and Recovery:
Investigation and application for FEMA and State hurricane mitigation grants, grant administration, management of reconstruction process.
- Litigation: Litigation Support and Expert Testimony.

CRA AGENDA ITEM SUMMARY

Staff Member Making Request:		Michelle Martin				
Meeting Date: <u>9/8/2010</u>						
Action Item Title:						
Esther Street Park - Seawall Design Proposals						
Agenda Section: Consent <u> X </u> Public Hearing <u> </u> Special Items <u> </u>						
Summary Explanation and Background:						
<p>The City purchased four (4) parcels at the eastern end of Esther Street between May 2007 and August 2008, and now has a couple of conceptional ideas for an off-beach parking and recreational area, known as Esther Street Beachfront Park.</p> <p>During the hurricane season of 2004 the existing seawall was severely damaged by Hurricanes Frances and then Gene, and later demolished for safety reasons. Before the parking and recreational improvements can be made for this property, it will be necessary to replace the seawall. Staff has therefore inquired with the 2 engineering firms on the City's rotating list who have seawall engineering experience to provide quotes for designing a buried seawall armoring system with planted vegetation to look and function as a natural dune. The following are their quotes:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">Tetra Tech</td> <td style="text-align: right;">\$39,000</td> </tr> <tr> <td>Quentin L Hampton Associates, Inc</td> <td style="text-align: right;">\$49,838</td> </tr> </table> <p>Staff recommends entering into a continuing services agreement with Tetra Tech and having them begin the design of the new seawall armoring system right away to keep the beachfront park project moving forward.</p>			Tetra Tech	\$39,000	Quentin L Hampton Associates, Inc	\$49,838
Tetra Tech	\$39,000					
Quentin L Hampton Associates, Inc	\$49,838					
Recommended Action/Motion:						
Recommend approval for Tetra Tech to design the buried seawall armoring system with planted vegetation, for an amount of \$39,000.						
Funding Analysis: Budgeted <u> X </u> If not budgeted, recommended funding account:						
\$39,000 from account number 12051502.567758, which currently has a balance of \$869,550.00.						
Exhibits Attached:						
Attachments: Proposals from Tetra Tech and Quentin L Hampton Associates, Inc						
Reviewed By:	Name	Signature				
Department Director:	Tony Otte					
Commission Action:						



**New Smyrna Beach Seawall Project
Scope of Services**

1. Work Elements

The City of New Smyrna Beach, Florida has prepared a Concept Development Plan for the Esther Street Beachfront Park. The City requested the development of a Scope of Work to design and permit a new seawall extension along the northern 230 feet of the beachfront of the site. The total seawall length is about 260 feet including the return wall segment on the northern property boundary of the site. The elements of the work include:

- a. Updated site survey
- b. Coastal Construction Control Line Permit (CCCL) application and support for the project
- c. Geotechnical investigation
- d. Design of the seawall
- e. Other assumed elements including:
 - i. Design of a basic dune crossover structure as a requirement under element b above;
 - ii. Sand source identification and compatibility testing for the dune fill to bury the new seawall;
 - iii. Design of vegetative cover plantings for the new dune including temporary irrigation to establish the vegetation.
- f. Bidding documents
- g. Construction administration

2. Scope of Work

2.1 Topographic Survey

The permit application requires two original copies of a signed and sealed survey of the subject property. The information depicted on the drawings shall be from field survey work performed not more than six months prior to the date of application. The survey shall comply with the requirements given in Rule 62B-33.0081, F.A.C. [paragraph 62B-33.008(3)(f), F.A.C.]. Appendix 1 provides the full survey requirements from these regulations. In accordance with our field meeting on Friday July 30, 2010, the City is going to provide an up-to-date boundary and topographic survey for the engineer's use prior to initiating services; therefore, we have not placed a fee for this task.

2.2 CCCL Permitting

The construction of a wall and other structures associated with the park seaward of the Coastal Construction Control Line (CCCL) dictates the requirements that must be met for permitting. It is



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anticipated that FDEP will require a CCCL permit be obtained for the proposed work. All work is located above the present MHW line; therefore, USACOE involvement is not expected. Due to protected species issues, this task will also involve coordination with the FWC.

The cost estimate with obtaining a CCCL permit is based on the consultant's experience and is proposed on a T&M basis for the work as proposed herein. Please note that with coastal projects, there is the potential that a County and/or City permit will be needed for the FDEP to elevate the permit application to a Joint Coastal Permit, or for the FWC to request federal involvement which is typically due to federally listed species concerns. If any of these occur, this cost estimate will need to be revisited.

Furthermore, we do note that an active gopher tortoise was observed within the project area and therefore a gopher tortoise survey of the site will need to be performed in accordance with Florida Fish and Wildlife Conservation Commission standards as included in the permit application. If the gopher tortoise burrow is close to the proposed construction, coordination and permitting of the tortoise relocation will be required. This cost estimate includes a gopher tortoise survey to verify if the tortoise needs to be removed. If survey verifies that the tortoise needs to be removed to a donor site than additional permitting services will be necessary. We will submit a separate proposal for gopher tortoise relocation if that is deemed necessary.

2.3 Geotechnical Investigation

In order to design the seawall, geotechnical information should be used in the design. Since the wall is relatively short, we would expect that only one (1) shallow boring (no more than may be necessary). Ardaman and Associates (a Tetra Tech subsidiary) could perform the work if requested or we would be happy to use a geotechnical engineer of the City's choice.

2.4 Seawall (Armoring) Design

The seawall will be connected to the existing 2.0 foot wide seawall to the south, and the offsite 2.0 wide seawall to the north. The purpose of the rigid coastal structure (seawall) is to prevent erosion at the upland property and/or protect structures and property from the effects of coastal wave and current action.

The remains of the 1.2 foot wide seawall that is still attached to the north offsite wall is a dilapidated condition with exposed reinforcing steel. This wall will need to be removed. The path of the wall will run in a northwest direction connecting to the two existing walls described above. Without better topographic information we cannot determine the cap elevation of the new wall, but it appears that it will be around elevation 10. It is approximately 250 from the new wall to elevation zero (0) where the mean sea level is located. The existing ground adjacent to the downstream side of the new wall's tie-in locations appears to be around 2 feet lower (or around elevation 8), thus the walls will not be constructed to withstand large bearing pressures from





TETRA TECH

backfill or sand. The design of the wall will be governed by structural considerations to withstand a design storm during a surge.

This seawall design task includes the coastal engineering site analyses to determine the 30-year design conditions that include high water levels, wave crest elevations, static and hydrodynamic wave loadings on the wall and estimation of the beach/dune erosion profile.

The seawall is to be designed and constructed for 30-year erosion projections as required by the Florida Department of Environmental Protection (FDEP) as a buried feature with native plants and sand over the top. The existing wall to the south had already been modified to match this approach with recent sea-oat plantings along the top of cap. It should be noted that the wall has people traversing the cap and disturbing the plantings on the cap.

2.5 Dune Crossover Structure

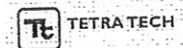
Since the design concept requires the wall to be buried with native vegetation, public access will need to be funneled over the wall to prevent the sand and native plants to be eroded by constant traffic. The height of the wall is relatively low, thus a dune crossover structure would not need to be very large. We anticipate the structure would be treated wood and meet the ADA requirements for access and slopes.

2.6 Sand Source Evaluation

FDEP requires an evaluation of sand for beach and dune fill. The source sand is required to be tested for grain size distribution, color and carbonate content to show compatibility with the native sand on the beach. We understand that the City has previously completed beach/dune filling operations at the park. We therefore assume for purposes of this proposal that a suitable source of sand and testing results if the sand are available. We can complete the necessary sand source survey and laboratory testing if requested.

2.7 Dune Vegetation Design

The permit application requires two copies of detailed planting plans, including the location of proposed plants, existing native vegetation, and plants to be removed. Plans shall include a plant list with both scientific and common names [paragraph 62B-33.008(3)(r), F.A.C.]. The existing vegetation in the vicinity of the proposed wall is very sparse due to the erosion from the large storm the destroyed the existing walls. The rest of the alignment is fairly free of stabilization today. We anticipate that the native vegetation planted will be sea-oats, sea-grapes, or similar native desirable coastal shoreline vegetation.





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2.8 Bidding Documents

The City will provide the front end documents for a bid for the wall and the Engineer shall include the technical specifications and conditions necessary for the contractor to bid the project. The project is so small in scope that we have not included a pre-bid meeting.

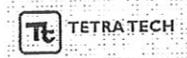
2.8 Construction Administration

The City will provide daily inspections if necessary. The Engineer, however, has been asked to price minimal construction administration services of the wall. For purposes of this proposal, we have assumed that includes shop drawing review, a progress inspection, a final inspection, and responding to questions from the contractor.

3. Budget Estimate

The project has been scoped using our standard billing arrangements in our existing continuing consulting agreement. The fee will be invoiced by monthly invoices will be issued based on the work completed to date. The reimbursable expenses are included in the fee provided below:

2.1	Survey	By others
2.2	CCCL Permitting and Gopher Tortoise Survey	\$8,000
2.3	Geotechnical	\$2,000
2.4	Seawall Design (Structural)	\$15,000
	Seawall Design (Coastal)	\$8,000
2.5	Dune Cross Over	\$2,000
2.6	Sand Source Evaluation	\$ assumed available by others
2.7	Dune Vegetation Plan	\$500
2.8	Bidding Assistance	\$500
2.9	Construction Admin.	\$2,500
2.10	Reimbursable Allow.	\$500
	TOTAL FEE	\$39,000





TETRA TECH

If this proposal is acceptable to you, please execute and return one (1) copy to our office for our files.

If you have any questions, please do not hesitate to call.

Very truly yours,

Tetra Tech

William D. Musser, P.E.
Vice President

Accepted by:

City of New Smyrna Beach

Authorized Signature

Date: _____

MARK A. HAMPTON, P.E.
BRAD T. BLAIS, P.E.
DAVID A. KING, P.E.
ANDREW M. GIANNINI, P.E.

Quentin L. Hampton Associates, Inc.
Consulting Engineers
P.O. DRAWER 290247
PORT ORANGE, FLORIDA 32129-0247

TELEPHONE: (386) 761-6810
FAX: (386) 761-3977
EMAIL: qlha@qlha.com

August 3, 2010

Ms. Michelle Martin
CRA Project Manager
City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, FL 32168

**RE: Professional Engineering Services for Seawall and Dune Construction
City of New Smyrna Beach Esther Street Beachfront Park**

Ms. Martin,

Quentin L. Hampton Associates, Inc. (QLH) in association with Dredging & Marine Consultants, LLC (DMC) is pleased to provide the City of New Smyrna Beach this proposal for the above referenced project based on the following project understanding:

PROJECT UNDERSTANDING

The proposed project will be approximately 330 feet long and connect the existing seawalls to the north and south. QLH will evaluate both soft (geotubes/mats) and hard (seawall) armoring alternatives. In addition it is the clients desire to have the armoring buried and planted in order to look and function as a natural dune. This structure and grading will be designed to protect the park improvements from erosion during typical storm events and select hurricane impacts. This proposal includes services through project construction and closeout.

SCOPE OF SERVICES

Task 1 - Project Planning and Meetings

This task will include QLH/DMC attending up to three (3) planning and presentation meetings, final field observations and measurements, and review of historical and new reports/drawings/data.

Task 2 - Geotechnical Testing & Surveying

QLH/DMC will complete and review final reports for geotechnical investigation and subsurface utility locations. Data will be reviewed for completeness and use on subsequent tasks. However, the City will be responsible for providing all elevation, topographic and

boundary surveys of the proposed project site as required by the Coastal Control Line division of the Department of Environmental Protection.

Task 3 - Design, Permitting, Construction Drawings and Bid Documents

According to the findings of work accomplished in Task 1, the desired armoring and environmental site assessment work, QLH/DMC will hold a pre-application meeting with the FDEP and U.S. Army Corps of Engineers (Corps), perform the necessary calculations, prepare 8-1/2"x11" permit drawings and submit a complete Environmental Resource Permit application to the FDEP Coastal Control Line Permitting Division. The City will be responsible for all permit fees. QLH/DMC will evaluate the project area for environmental resources and potential impacts, including identifying any threatened and endangered flora and fauna within the project area.

QLH/DMC will receive, review and respond to requests for additional information (RAI's) with each agency. The City will be responsible for any permit application fees. Once the FDEP and Corps permits are obtained we will prepare construction drawings and technical specifications for proposed armoring, dune, and dune plantings. The drawings will be signed and sealed by a State of Florida Licensed Professional Engineer. One (1) "30% and one (1) "90% design stage" review meeting with the City is included in this task. Comments from that review will be incorporated into the final construction drawings. QLH/DMC will provide final construction drawings, technical specifications and create bid documents.

Task 4 - Gopher Tortoise Permitting and Relocation

This task will include all services necessary for the surveying, permitting, and relocation of Gopher Tortoises located within the construction area. An initial walkthrough of the project site revealed one existing burrow. The City will be responsible for all permit fees associated with Gopher Tortoise relocation.

Task 5 - Bidding and Construction Inspection

QLH/DMC will conduct a pre-bid meeting and answer any official contractor submitted questions during the bidding process. As well as assist the City with bid review and contractor selection.

This task will also entail construction inspection during critical project activities and include review of all contractor submitted shop drawings, materials, construction methods, contractor requests for information, and invoices. The Engineer will also provide final review of as-built plans and contract closeout.

PROFESSIONAL FEES

Our fee estimate for the above scope of services, including expenses, is as follows:

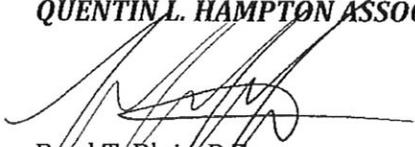
Task 1	Project Planning, Meetings and Geotechnical Testing	\$ 4,968
Task 2	Geotechnical Testing	\$ 3,790
Task 3	Design, Permitting, Construction Drawings and Bid Documents	\$ 24,150
Task 4	Gopher Tortoise Permitting and Relocation	\$ 2,950
Task 5	Bidding and Construction Inspection	<u>\$ 13,980</u>
	TOTAL	\$49,838

SCHEDULE

These services will be completed within 8 months from the date of notice to proceed. However, regulatory permitting may result in extended date of completion based on additional requirements.

As always, we look forward to working with the City and appreciate the opportunity to continue to be of service.

Respectfully,
QUENTIN L. HAMPTON ASSOCIATES, INC.



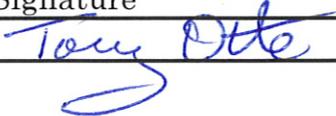
Brad T. Blais, P.E.
President



Kevin A. Lee, P.E.
Project Engineer

BTB:el

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Michelle Martin		
Meeting Date: <u>9/8/2010</u>		
Action Item Title: Washington St Streetscape RFQ – Shortlisted Firms		
Agenda Section: Consent <u> X </u> Public Hearing <u> </u> Special Items <u> </u>		
<p>Summary Explanation and Background:</p> <p>The CRA Master Plan Update 2010 listed the Washington Street corridor as a priority for a streetscape project. Staff had a topographical survey prepared for the corridor to aid in the design process, then advertised an RFQ for the streetscape design. Nine (9) proposals were received from various engineering firms, and of those firms four (4) were shortlisted who then made presentations to the Selection Committee on August 30, 2010. All firms had good proposals of how to improve the corridor, but one stood out from the rest, Anderson-Dixon, whose concept focused mostly on the west side neighborhood by promoting the Washington Street Business District as well as the Washington Street Business Incubator, increasing mobility and pedestrian activity.</p> <p>The shortlist of Engineering Firms for this project is recommended as follows:</p> <ol style="list-style-type: none"> 1. Anderson-Dixon 2. Parker Mynchenberg 3. GAI 4. Zev Cohen 		
<p>Recommended Action/Motion:</p> <p>Recommend approval of the shortlist, staff will then work to negotiate a contract with the number one firm.</p>		
Funding Analysis: Budgeted <u> X </u> If not budgeted, recommended funding account:		
<p>Exhibits Attached: N/A</p>		
Reviewed By:	Name	Signature
Department Director:	Tony Otte	
Commission Action:		

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte

Meeting Date: September 8, 2010

Action Item Title: Dunn Lumber property demolition proposal

Agenda Section: Consent_____ Public Hearing_____ Special Items__x__

Summary Explanation and Background

The City has received standard pricing for the demolition of buildings. This pricing was obtained in an effort to accelerate the demolition of buildings that qualify for demolition as a result of the code enforcement process.

CRA staff has had an inspection of the property completed by a certified asbestos inspector. The report found asbestos in the building which needs to be removed prior to demolition.

City staff has now received a price quote for the demolition work from DBI Demolition using the standard pricing for the structures on the Dunn Lumber property, which includes the following:

1. Removal of the asbestos found in the main building;
2. Demolition of the main building following asbestos removal;
3. Demolition of the pole barn building;
4. Demolition of a concrete slab generally located to the north of the main building;
5. Demolition of a concrete slab generally located west of the pole barn;
6. Compliance with the restriction placed on this work by the environmental engineer, that no dirt shall leave the site; and

The contractor will need to comply with the conditions placed upon the work by the terms of the City's demolition permit and the FDOT permit for closing a portion of FDOT property (including the sidewalk adjacent to the building)

Recommended Action/Motion:

Approval

Funding Analysis: Budgeted__x__ If not budgeted, recommend funding account:
Funds are available in the Dunn property line item. Total cost of the demolition contractor's work:
\$34,266,49

Exhibits Attached:

1. Price quote by DBI demolition

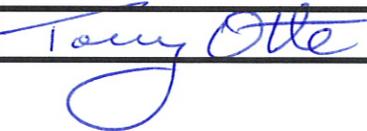
Reviewed By:

Name

Signature

CRA Director

Tony Otte



Commission Action



2838 Sarno Road
 Melbourne, FL 32935
 321-725-4239
 Fax 321-253-1535

Complete & Selective Demolition
 Interior & Exterior

Commercial & Residential
 Saw Cutting

JOB ADDRESS: 533 CANAL ST
 NEW SMYRNA BEACH, FL 32148

COMMERCIAL	SQFT	LF	CY	TOTAL
ONE STORY FRAME	7015			14,386.0
ONE STORY MASONRY	3810			7,239.0
CONCRETE WALK WAY	2100			198.32
FENCE (CHAIN LINK)		214		214.00
(8") CONCRETE PAD	3100			4588.0
SILT FENCE		1000		550.0
ASBESTOS SURVEY (SUPPLIED BY CITY)				N/C
ABATEMENT			21335.0	
MOBILIZATION				360.00
LINOLEUM (SHEET VINYL)	250			1,200.0
FLOOR FINE	900			2,160.0
WINDOW GLAZING			5300	2,500.0
			TOTAL #	33,396.2

REPORTS AND COMMUNICATIONS

CRA DIRECTOR'S REPORT

September 8, 2010

1. Hotel – the developer has not yet closed on the properties. A pre-construction meeting has been held.
2. City properties to be offered for sale to developers – the AOB site on the North Causeway will be offered for sale with a draft offering statement scheduled for review at the September 28 City Commission meeting. The shuffleboard courts and the adjacent parking lot south of City Hall may also be considered.
3. Form based codes – following a lengthy procurement process, a committee is recommending the planning firm Land Design Innovations to prepare the Form Based Code. This item is on the September 14 City Commission agenda.
4. Construction/architectural consultant – in addition to working on the building cited for the business incubator, it is anticipated that Ed Maurice will assist with expanding our project tracking system.
5. Economic Development – The City Manager will propose that the CRA Director's duties be expanded to include economic development work outside of the CRA. Please see the attached memo from the City Manager. I also attended the International Council of Shopping Centers "deal-making" exhibit as a part of Team Volusia, along with city planner Jake Baker (we each went one day). We used a new "rack card" to introduce businesses to New Smyrna Beach as being "Open for Business", complete with quotes from the Master Plan Update. I also spoke with the owners of the shopping area where the Outback is located to assist them in filling their spaces.
6. "Main Street – type contract position" – an equipment operator position in the CRA facilities maintenance funded positions has been vacant for much of this year. The City Manager has agreed to shift this position to a "Main Street – type contract position" to provide for business recruitment and retention in the CRA. Staff is working on a job description.
7. Brownfields – staff is processing an application for 504 Industrial Park Ave. for a suspected petroleum based contamination (at the airport industrial park).
8. County Meeting – the City Manager, Finance Director, and I met with the new County representative for CRAs, Arlene Smith. We prepared an information packet including the budget and project status report. The information was well-received.
9. CRA Master Plan Update – The City Commission has approved the final portion of the Master Plan Update, and staff will work with AECOM to have all the revisions completed and the book printed.

Projects: \$ Allocated	Project Description	Current Budget	Status	Est Construction Completion	Contact
W Canal Streetscape	RR to Myrtle Streetscape	\$1,000,000 (CRA)	All sidewalks, canal drainage, and streetlights completed. Final landscaping and asphalt paving work left	November-10	Michelle
Mary Ave Streetscape	2 Phases: Phase I - Myrtle to US1 (not including RR RW) (CRA \$) Phase II - RR RW (grant \$)	\$1,600,000+grant	Bids have been received and will be taken to the CRA Sept 8 and City Commission in Sept 14.	May-11	Michelle
S Orange Streetscape	Canal St to Lyle Ave. & CRA parking lot	\$1,200,000	Bids have been received and will be taken to the CRA Sept 8 and City Commission in Sept 14.	May-11	Michelle
Julia & Faulkner Parking lot	Improvements to surface to create a parking lot	\$0	CRA and City staff will meet with the shuffleboard group		Tony
Flagler Dunes Parking	Improvements to create a parking lot & lease space	\$68,000	Project has been permitted. Site clearing is complete. grading has begun.	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	Kyle
CRA Parking		\$0	Funding for the Julia/Faulkner lot. Funds may be re-programmed.	N/A	Tony
Public Art		\$13,600	Funding to be used to support art events.	N/A	Tony
Development Assistance & Incentives	Incentive funds for business expansion or start-ups	\$1,379,533	This program supports incentive agreements.	N/A	Tony
Policy & Partnerships	Partnership projects and form based codes	\$186,000	A recommendation will be presented to the CRA and City Commission in September.	September-11	Tony
Marketing & Promotion	Marketing and Promotional activities	\$465,000	Jack Holcomb is providing an internet marketing consultant. Staff is exploring additional efforts.	September-11	Tony
Flagler Boardwalk	Replace seawall and possibly the structure	\$2,000,000	Seawall investigation and engineering results are due today.	September-11	Khalid
Signage/Wayfinding	Design and Erect new wayfinding signs	\$279,000	City Commission approved the contract at the August 10 meeting.	March-11	Tony
Washington Business District	Development of a Business Incubator and start-ups	\$279,000	Architectural services contract on the CRA Sept 8 and City Commission Sept 14 agendas. Next meeting with property owner scheduled on Sept 10	September-11	Tony
Washington St Streetscape	2 Phases: Phase I - Myrtle to US1 Phase II - US1 to Riverside	\$930,000	Survey work is underway. Engineering firms presented to selection committee on August 30. recommendation to CRA on Sept 8 and City Commission on Sept 28	January-12	Michelle
Esther St Park	Oceanfront park with parking & retention, and seawall	\$869,550	Survey is underway. Add'l property needed for easement. Engineering proposals for seawall will be presented to CRA Sept 8 and City Commission in Sept 28.	January-12	Gail
Medical Services District Improvements	Streetscaping etc in a new medical district at BFM/C	\$0	BFM/C has requested Andrews St streetscaping, and old bank bldg rehab. The CRA recommends that funding in this category be eliminated.	N/A	Tony
Gateway Landscaping	Improvements at Gateway corridors	\$60,450	Included in Wayfinding request for proposal package	September-11	Tony
Riverside Park Seawall	Seawall refurbishing	\$530,000	Engineering of Seawall underway	January-12	Kyle
Riverside park Lighting	Park design, new lighting	\$400,000	Engineering of lighting underway	March-11	Michelle
Myrtle Ave Infrastructure Project	Landscaping at intersections, possibly along the west side across from Babe James if easements were obtained, repair or replace the sidewalk on the west side of N Myrtle Ave	\$465,000	In the process of getting easements with a couple of Churches along N Myrtle Ave	March-11	Khalid
Dunn Lumber Demolition Project	Demolition of 2 bldgs on the Dunn Lumber site		Asbestos Survey complete. Staff has engaged into a contract with an approved demolition contractor and the removal of the bldg is expected by October 2010.	November-10	Michelle
Coronado Shuffle Board Courts	Rehabilitating the shuffle boards and restrooms		Construction in progress	February-11	Kyle