



Community Redevelopment Agency

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

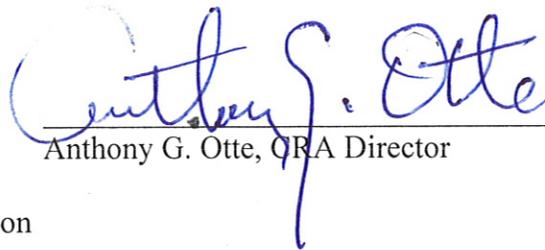
September 29, 2011

MEMORANDUM

James Kosmas, Chair
James Peterson, Vice Chair
Doug Hodson
Thomas Williams
Chad Schilsky
John Kinney
Melissa Latty

May this serve as your official notification of the **REGULAR MEETING** of the Community Redevelopment Agency to be held on **Wednesday, October 5th, 2011 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.

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, OCTOBER 5, 2011 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 CRA Meeting September 7, 2011
- B. Grant Start Time extension for 402 Flagler Ave – Pat Collado
- C. NSB Waterfront Loop billboard cost sharing

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:

None

6. OLD BUSINESS

- A. Donna Banks – Contract recommendation
- B. 545 Washington St. Grant Application revision
- C. Flagler Boardwalk Improvements Project – Bid Award recommendation
- D. Esther St Park Seawall – Bid Award recommendation

7. NEW BUSINESS

- A. 1. Funding Request – “Holiday Food and Wine Festival
- 2. Funding Request – Event Insurance for Merchants of Flagler Ave, Inc.
- 3. Funding Request – Stand-Up Paddleboarding Event
- B. Discussion to add 120, 124 and 132 Canal Street (The Hub on Canal)
- C. Opportunity Site Grant Application and Deal-Points – Phase 1, former Pennysaver Bldg
- D. Review of Flagler Avenue/Beachside Parking Inventory and Initiatives

8. REPORTS AND COMMUNICATIONS

- A. Director’s Report
- 1. Moving the Votran bus stop from Christmas Park
- 2. Report on Landscaping at US 1 and Canal St.
- B. CRA Attorney’s Report
- C. Capital Projects Report
- D. Commissioner Report
- E. Tracking Report
- F. Correspondence

9. ADJOURNMENT

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

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

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

CONSENT AGENDA

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**MINUTES OF THE
CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY
MEETING OF SEPTEMBER 7, 2011
CITY COMMISSION CHAMBER, CITY HALL, 210 SAMS AVE.
NEW SMYRNA BEACH, FLORIDA**

CRA Chair James Kosmas called the CRA meeting to order at 2:00 p.m.

Answering to roll call:

**James Kosmas
James Peterson
Doug Hodson
Chad Schilsky
Thomas Williams
John Kinney
Melissa Latty**

Also present were CRA Director Tony Otte; CRA Administrative Specialist Claudia Soulie and CRA Attorney Mark Hall. CRA Project Manager Michelle Martin was absent.

CONSENT AGENDA

A. Approval of Minutes – Regular CRA Meeting August 3, 2011

Mr. Schilsky made the motion to approve the Minutes as written; seconded by Mr. Kinney. Motion carried on roll-call vote 7-0.

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.

Hearing none, Mr. Kosmas closed the Public Participation of the meeting.

Ms. Soulie asked to read into record the FORMS 8B MEMORANDUM OF VOTING CONFLICT from the August 3rd, 2011 CRA meeting from Commissioners Peterson and Schilsky. Commissioner Peterson had abstained from voting on the Grants and Aids application item for Canal Street Historic District and Commissioner Schilsky had abstained from voting on the Grants and Aids application item for the Merchants of Flagler Hospitality Group (forms attached to Minutes).

OLD BUSINESS

A. Large Grant Application Amendment: Dolphin View Restaurant: Request for grant budget change

49 Mr. Otte stated that the CRA had previously approved a Large Grant application for this
50 applicant for the conversion of a storage area to provide indoor restaurant seating to make
51 the restaurant less reliant upon the weather. Mr. Otte continued that the applicant had
52 contacted staff and stated that the original plan was to be under construction for the
53 approved project scope by mid August; however, the Volusia County Health Department
54 had made stipulations related to the restaurant's River Cruise operations that necessitated
55 revisions to the approved plan. The changes include an awning, additional HVAC and
56 electrical work, a range hood and general construction items.

57
58 Mr. Otte stated that the cost of the revisions is estimated at \$37,180, bringing the total
59 project cost to \$103,167.00. The additional amount of CRA funding requested is
60 \$17,006.38, which added to the previously awarded amount of \$32,993.62 brings total CRA
61 funding to \$50,000.

62
63 Mr. Otte continued that the applicant is also requesting a ninety-day extension to the
64 original construction start date, changing the date from September 28, 2011 to December 27,
65 2011.

66
67 Mr. Williams stated that he would abstain from voting on this item as he is the Engineer of
68 record for this project.

69
70 A brief discussion ensued about what constitutes a project as having commenced and the
71 requirement of getting two (2) estimates for a project if there is already a contractor of
72 record.

73
74 **Mr. Hodson made the motion to approve the grant amendment and the time extension;**
75 **seconded by Mr. Schilsky. Motion carried on roll-call vote 6-0. Mr. Williams**
76 **abstained.**

77
78
79 B. Gateway Landscaping and Beautification Capital Project:

- 80 1. Review and Recommendation of Conceptual Drawings for the NW and SW
81 corners of US 1 and W. Canal St
82 2. Recommendation for the budget allocation

83
84 Mr. Otte asked that these items be discussed at a later time in the meeting, as the Consultant
85 had not arrived yet.

86
87
88 **NEW BUSINESS**

89 A. Commercial Exterior Property Improvement Grant – 201 S. Orange Street

90
91 Mr. Otte stated that the applicant contacted CRA staff in July for a potential grant under the
92 existing Exterior Property Improvement Grant program. The CRA, at their August 3, 2011
93 meeting authorized staff to assist the applicant with the application process for a property
94 improvement grant to sod connected areas of three (3) church-owned buildings located
95 along the recently completed streetscape project for S. Orange Street.

96
97 Mr. Otte continued that the application had received the necessary points to qualify for
98 consideration and that staff recommends approval under the "old" grant guidelines as staff

99 considers this application to have been in the “pipeline” prior to the Combined Grant
100 guidelines being approved, which only allow properties that contribute real property taxes to
101 be eligible to apply. This application is scheduled to go before the City Commission at their
102 September 13, 2011 meeting.

103
104 **Mr. Peterson made the motion to approve the grant application as submitted;**
105 **seconded by Mr. Schilsky. Motion carried on roll-call vote 7–0.**

106
107 **B. Combined Grant Program Applications:**

108
109 1. 193 North Causeway (Merk’s)

110
111 Mr. Otte stated that this applicant is proposing to upgrade both the men’s and women’s
112 restrooms to comply the current building codes for an estimated cost of \$48,500 in eligible
113 expenses. (CRA funding request is \$20,000).

114
115 Mr. Otte stated that the application has received the necessary points to qualify for
116 consideration and staff recommends approval.

117
118 Mr. Williams stated that he would abstain from voting on this item as he is the Engineer of
119 record for this project.

120
121 **Mr. Hodson made the motion to approve the grant as submitted; seconded by Mr.**
122 **Kinney. Motion carried on roll-call vote 6–0. Mr. Williams abstained.**

123
124
125 2. 200 Magnolia Street (Vogue Cleaners)

126
127 Mr. Otte stated that this applicant is proposing improvements to the store’s front/side
128 entrances and handicap ramp; replacement of awning fabric; wiring and installation of
129 motion lights; signage lettering and gutters for an estimated total of \$20,050.75. (CRA
130 funding request \$10,025.38).

131
132 Mr. Otte continued that the application has received the necessary points to qualify for
133 consideration and staff recommends approval.

134
135 **Mr. Hodson made the motion to approve the grant application as submitted; seconded**
136 **by Mr. Williams. Motion carried on roll-call vote 7–0.**

137
138
139 3. 407 Downing Street (Duplex Building)

140
141 Mr. Otte stated that this applicant is proposing to convert the first floor of the existing
142 residential duplex building into a professional office space. The second floor will remain as
143 a residential space.

144
145 Mr. Otte continued that per the applicant’s letter, extensive upgrades were started prior to
146 their decision to convert the building to commercial space and that the items submitted for
147 consideration are for exterior and interior work to include parking; landscape and irrigation;

148 screening for A/C and trash receptacles; underground electrical services and design/impact
149 fees for work that has not commenced yet.

150
151

152 Mr. Otte continued that the estimate for the scopes of work totals **\$60,289**. (CRA funding
153 request \$20,000).

154

155 Mr. Otte stated that the application has received the necessary points to qualify for
156 consideration and staff recommends approval.

157

158 Mr. Kosmas questioned the fact that the project had commenced as the CRA guidelines
159 stated that no work shall begin prior to CRA approval.

160

161 Ms. Soulie stated that she was under the impression that this stipulation pertained only to the
162 portion of the work for which grant funding is sought and not the entire project.

163

164 A brief discussion ensued about when a project is considered as having commenced and that
165 staff should come up with verbiage that would more clearly define this issue.

166

167 Mr. Reid Hadley, representative for 407 Downing was available for questions and stated
168 that the applicant had applied for a permit for the entire project.

169

170 The CRA had some additional questions about the required second estimate that the
171 applicant was unable to obtain and recommended that he withdraw the grant application.
172 The CRA suggested that he get with staff to find a potential way to resubmit the application.

173

174 The applicant agreed and withdrew his application.

175

176 4. 738 Canal Street (former bicycle shop)

177

178 Mr. Otte stated that the applicant is proposing replacement of window panes at the property
179 at 738 Canal Street that have become unsightly for an estimated cost of \$1,995.68 with CRA
180 funding requested in the amount of \$997.84. This property, 738 Canal Street, shares a Parcel
181 ID number with the primary address of 736 Canal Street.

182

183 Mr. Otte continued that the application has received the necessary points to qualify for
184 consideration and staff recommends approval.

185

186 Mr. Peterson felt that this application would qualify for approval under the Small-Scale
187 Improvement program. The CRA agreed.

188

189 Mrs. Lois Tipton and Mr. Tom Tipton were present and stated that they would have no
190 objections converting from the Combined Grant program to the Small-Scale program.

191

192 Mr. Kosmas asked that the windows be clear for better visibility and a more inviting
193 atmosphere as suggested in the CRA Master Plan update.

194

195 **Mr. Williams made the motion to approve the grant application in the amount of**
196 **\$1,995.68 under the Small-Scale Improvement Grant Program; seconded by Mr.**
197 **Peterson. Motion carried on roll-call vote 7-0.**

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C. Large Grant Application – 545 Washington Street (residential)

Mr. Otte stated that at their August 3, 2011 meeting the CRA authorized staff to meet with the applicant to assist him with the application process for a Large Grant application pertaining to the project at 545 Washington Street. This project entails the rehab of an existing structure and the construction of up to three (3) new cottages.

The total estimated construction cost based on the selected bid is \$150,364 with CRA funding requested in the amount of \$50,000. The applicant still needs to go through the siteplan process, which will determine how many cottages are allowed on the property.

Mr. Otte continued that the application has received the necessary points to qualify for consideration and staff recommends approval. The applicant is aware that the application would also have to be approved by the City Commission, as the dollar amount exceeds \$25,000.

A brief discussion ensued about the proposed project and the CRA agreed that this will greatly enhance this parcel.

Mr. Schilsky made the motion to approve the Large Grant application as submitted; seconded by Mr. Hodson. Motion carried on roll-call vote 7–0.

D. Small Scale Improvement Grant Application – 399 Canal Street (the Arcade Bldg)

Mr. Otte stated that the applicant is proposing improvements to the side wall of his building that was exposed after a recent demolition of a neighboring structure.

The application has received the necessary points to qualify for consideration and staff recommends approval in the amount of \$2,500.

NOTE: As of date of this memo there are two (2) eligibility requirement issues with this application. The applicant has been advised that approval of his grant application is contingent upon rectification of these issues. The applicant is aware that any funds awarded under the Small-Scale Improvements Grant program will be deducted from any future grant requests.

Mr. Williams made the motion to approve the grant application in the amount of \$2,500 under the Small-Scale Improvement Grant; seconded by Mr. Hodson. Motion carried on roll-call vote 6–0. Mr. Kinney was absent for this vote.

E. Change in Grants and Aids Guidelines to allow single event funding for marketing

Mr. Otte stated that the CRA program entitled “Grants and Aids” is intended to fund the promotional expenses for special events. In the past this program has been the source of “promotional expense” funding for a series of events over the course of a fiscal year.

247 Mr. Otte continued that recently the CRA awarded promotional material funding to single
248 events and that CRA staff continues to receive requests for single event funding.

249

250 Mr. Otte stated that CRA staff suggests allowing such requests to be considered under the
251 Grants and Aids program in the future and proposed language which would allow for the
252 first such request to be considered at any CRA meeting, but future requests would be
253 considered under the existing Grants and Aids program guidelines. Mr. Otte felt that this
254 would allow for a more accurate budget projection for event funding.

255 A brief discussion ensued about applicants being able to come back before the CRA to
256 request a modification to their funding amount. Staff stated that applicants are currently
257 allowed to submit change orders for CRA approval.

258

259 **Mr. Williams made the motion to allow single events as proposed by staff with the**
260 **addition of being able to apply for funding modification; seconded by Mr. Kinney.**
261 **Motion carried on roll-call vote 7-0.**

262

263 1. Funding Request – “Florida Harmonica Championship”

264

265 Mr. Otte stated that staff was approached by the applicant about possible funding assistance
266 for an event called The Florida Harmonica Championships to be held October 16, 2011. Mr.
267 Otte continued that the total project cost is estimated at \$17,500 with \$8,000 being used for
268 advertising.

269

270 Mr. Farley Palmer, organizer, gave a brief description of the event.

271

272 Mr. Kosmas inquired if he should abstain, as he had made a donation under his Law office
273 to this event. Mr. Hall stated that he should.

274

275 **Mr. Kinney made the motion to approve the funding request; seconded by Ms. Latty.**
276 **Motion carried on roll-call vote 6-0. Mr. Kosmas abstained.**

277

278

279 2. Funding Request – “Cuda Red and Black Homecoming”

280

281 Mr. Otte stated that staff was approached by the applicant about possible funding assistance
282 for the event called Cuda ~ Red and Black Homecoming to be held on November 11th and
283 12th, 2011. The total project cost is estimated at \$54,233 with \$6,000 being used for
284 advertising.

285

286 Mr. Frank DeMarchi, representative for the event, stated that the organizers feel that this
287 event will provide a unique opportunity for economic development with thousands of
288 alumni returning to town, which could serve as a natural business recruitment, relocation
289 and expansion prospect pool to benefit the CRA district and the City.

290

291 The CRA asked that the current grant programs and incentives offered by the CRA be
292 advertised during this event. Mr. DeMarchi recommended having volunteers pass out flyers
293 with that information.

294

295 **Mr. Hodson made the motion to approve the funding request; seconded by Ms. Latty.**
296 **Motion carried on roll-call vote 7-0.**

297
298 **F. Discussion:**

299
300 1. Request to add 177 N. Causeway to Opportunity Site list

301
302 Mr. Otte stated that CRA staff was approached by the potential applicants who are
303 proposing to develop the property at 177 N. Causeway into a restaurant concept called
304 “Kahuna Lagoon Tiki Bar and Grill, a value-priced, casual themed, “Florida Keys” –style
305 restaurant specializing in serving fresh seafood and innovative continental cuisine.

306
307 The applicant is asking for consideration under the Opportunity Site program, since this
308 property does not qualify for a Large Grant (\$50,000) as the N. Causeway is not within the
309 qualifying area for this program.

310
311 Mr. Otte continued that staff is recommending that the CRA consider this property under the
312 Large Grant program instead of the Opportunity site program and that staff further
313 recommended the CRA revisit the boundaries for the Large Grant program and to make
314 them coterminous with the CRA district boundaries.

315
316 Mr. and Mrs. Byers, applicants and Larry Gross, property owner were present.

317
318 A brief discussion ensued about what is considered an Opportunity site and that there have
319 been studies done on the N. Causeway.

320
321 Mr. Peterson asked the applicant about the estimated project budget. Mr. Byers stated that
322 they have estimated that the project would cost around \$1,000,000 and create gainful
323 employment for approximately seventy (70) staff members.

324
325 **Mr. Peterson made the motion to recommend to the City Commission that the**
326 **property be added to the Opportunity Site list; seconded by Mr. Hodson. Motion**
327 **carried on roll-call vote 6-1, with Mr. Kosmas casting the dissenting vote.**

328
329 A brief discussion ensued about the purpose and original intent of the Large Grant
330 boundaries.

331
332 **Mr. Hodson made the motion to recommend to the City Commission that the**
333 **boundaries for the Large Grant program be extended to the entire CRA district;**
334 **seconded by Mr. Kinney. Motion carried on roll-call vote 6-1, with Mr. Peterson**
335 **casting the dissenting vote.**

336
337
338 2. Request to add 431 Canal Street to Opportunity Site list

339
340 Mr. Otte stated that CRA Staff was approached by the potential applicants who are
341 proposing to develop the property at 431 Canal Street into a two-story structure to include
342 retail and business offices running along Orange Street and potentially a second level
343 Assisted Living Facility, accessible by elevator.

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Mr. Otte continued that the owners are asking for direction if the CRA would consider 431 Canal Street as an Opportunity Site, however, staff is recommending that this property be considered under the Large Grant program.

Mrs. Simpson, owner, was present and gave a brief history about the building in question and a description of what they are envisioning for this project.

Mr. Peterson stated that he would abstain from voting on this subject.

A brief discussion ensued about the fact that the CRA could approve this request as an opportunity site, since each application would be evaluated on its own merits. Mr. Schilsky felt that the CRA was possibly getting away from the original intent of what the Opportunity Site program was developed for.

Mr. Williams felt that this project was comparable to the ones already listed on the Opportunity Site.

Mr. Williams made the motion to recommend to the City Commission that the property be added to the Opportunity Site list; seconded by Ms. Latty. Motion failed on roll-call vote 3–3, with Mr. Kosmas, Mr. Schilsky and Mr. Kinney casting the dissenting votes. Mr. Peterson abstained.

The CRA felt that this was a worthwhile project and recommended that Mrs. Simpson get with staff about applying under the Large Grant Program.

G. Review: CRA Budget, FY 2012

Mr. Otte stated that the Draft Proposed CRA Budget for FY 2011-2012 would have several changes prior to final adoption at the September 27, 2011 City Commission meeting. These changes will include the addition of a Capital Improvements Plan Manager position of which 50% would be funded by the CRA, as well as the “adding-back-in” of the Gateway Project Landscaping and Beautification project, which will provide funding for one intersection (the west side of US 1 and Canal St) and perhaps other Gateway locations.

Mr. Otte stated that two (2) Public hearings will be held on September 14 and September 27, 2011 pertaining to the budget. Mr. Otte gave a brief update of the capital projects including the proposed Chamber of Commerce Building Phase II interior restoration.

Mr. Otte continued that this item is only informational and no formal action was required of the CRA.

Mr. Kosmas recognized Mr. Rick Tausher with the New Smyrna Beach Athletic Club at 401 Canal Street, in the audience and asked for him to come to the podium. Mr. Kosmas realized that Mr. Tausher did not get a chance to speak during the Public Participation portion of the meeting.

Mr. Tausher stated that the Athletic Club has been serving this community for many years and elaborated on what he felt were the benefits its existence offered to the merchants on

393 Canal Street and the surrounding area. Mr. Tausher commented on some recent hardships
394 and asked if the CRA could assist with incentives to assure that the Athletic Club can
395 remain on Canal Street.

396 The CRA recommended that Mr. Tausher get with CRA staff to determine if any incentives
397 are available.

398 REPORTS AND COMMUNICATIONS

399 A. Director's Report

400

401 Mr. Otte stated that presentation to the County Council pertaining to CRA budget and
402 activities in 2010 that was scheduled for August 18, 2011 has been tentatively postponed to
403 November.

404

405 A special City Commission meeting is scheduled for October 11, 2011 pertaining to the
406 Flagler parking study that is being prepared by staff.

407

408 CRA Attorney's Report

409

410 Mr. Hall stated he had no comments, but was available for any questions the Commissioners
411 may have.

412

413 Commissioners Report

414

415 Mr. Williams asked to comment on the US 1/Canal Street Gateway project postponed earlier
416 in the meeting and felt that the costs for the proposed landscape concepts were rather high.

417

418 Mr. Otte updated the CRA that he had been contacted by FDOT who continues to move
419 forward with their improvement plans for this intersection to include the sale of the property
420 to be used for the proposed turning lane.

421

422 Mr. Kosmas suggested hearing all Commissioners' comments before continuing to discuss
423 the Gateway project item. All agreed.

424

425 Mr. Peterson felt that the CRA needed to revisit the two-estimate requirement and the no-
426 "sweat equity" stipulation. A brief discussion ensued about construction costs and that staff
427 should bring this topic (to include change orders; sweat-equity and estimates) back as an
428 agenda item at a future CRA meeting.

429

430 Mr. Hodson informed the CRA that the closing on the Badcock building may be coming
431 close to fruition.

432

433 Mr. Kosmas felt that the new hotel will be a legacy to the redevelopment of New Smyrna
434 Beach. Mr. Kosmas further asked that staff notify the CRA Commissioners of upcoming
435 events.

436

437 Mr. Schilsky stated that he would like to get a copy of the list of potential sites to be leased
438 or purchased in conjunction with the Flagler Ave. Parking study that staff was performing.

439 Mr. Otte commented on some of the options staff was considering and stated that he would
440 present the draft study at the next CRA meeting.

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Mr. Williams complimented the CRA Chair on his great speech at the Hotel Groundbreaking ceremony. Mr. Kosmas appreciated the accolades.

Mr. Kinney and Ms. Latty had no comments at this time.

Mr. Kosmas directed the meeting back to the Gateway Landscaping and Beautification Capital Project.

Mr. Kosmas commented on the purchase of the former Dunn Lumber site and what he thought the CRA had intended with that purchase. He also felt that the proposed landscape concepts were too high.

A brief discussion ensued about Right-of-way (ROW) appraisals and if the CRA could recoup some or all of the purchase price with the sale of the proposed ROW section to FDOT. Mr. Otte informed the CRA that FDOT had monies allotted for the purchase of the ROW and that this money could be used towards the amenities for the lot.

Mr. Otte stated, on behalf of the consultant, that prior conversations alluded to the fact that the consultant was trying to come up with some temporary uses for this property until the economy improves and that he was asking the CRA to give him direction.

Mr. Williams commented on work performed by a local architect several years ago in regards to a landscape lease being negotiated with the FEC for the south side of Canal Street and would like to get connectivity for east and west Canal Street.

Ms. Flare Elliot, 421 Canal Street was present and gave a brief update about the signed FEC landscape lease that covers the southwest corner of Canal Street. Ms. Elliott asked for the CRA to keep in mind the importance of this particular intersection as the Gateway into the Downtown and gave a few suggestions for use of the former Dunn Lumber site.

Mr. Kosmas was not opposed to spending money on beautification for the former Dunn Lumber site, but felt that it needed to be ascertained first how much of the property would be left after FDOT purchases the ROW for their proposed turning lane.

Mr. Otte will bring back additional information at a future CRA meeting.

Hearing no comments, Mr. Kosmas entertained a motion to adjourn.

ADJOURNMENT

A motion was made to adjourn; all agreed. Meeting adjourned at 5:08 pm.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Peterson, James C.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE New Smyrna Beach Community Redevelopment Agency
MAILING ADDRESS 418 Canal Street	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY New Smyrna Beach	COUNTY Volusia
DATE ON WHICH VOTE OCCURRED 8/3/2011	NAME OF POLITICAL SUBDIVISION: New Smyrna Beach
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, James C. Peterson, hereby disclose that on August 3, 20 11:

(a) A measure came or will come before my agency which (check one)

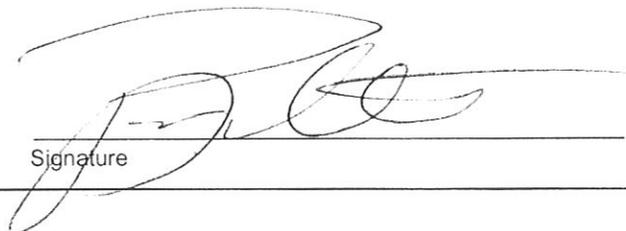
- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, Debbie Peterson _____;
- _____ inured to the special gain or loss of _____, by whom I am retained; or
- _____ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Event funding for the events held by the Canal Street Historic District, including Christmas on Canal, an event which was founded in part by my mother, Debbie Peterson, and in which she continues to actively participate in its planning and operation.

Although there may not be a special pecuniary gain or loss to my mother as a result of the CRA contributing to funding the event, and although CRA commissioners are not statutorily prohibited from voting when such conflict arises, out of an abundance of caution and at the direction of the CRA attorney, I chose to abstain from voting in the measure which was before the CRA on August 3, 2011.

8/16/11
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Schilsky Chad Michael</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>CRA</i>
MAILING ADDRESS <i>103 S Pine St.</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>New Smyrna Beach, FL Volusia</i>	NAME OF POLITICAL SUBDIVISION: <i>Community Redevelopment Agency</i>
DATE ON WHICH VOTE OCCURRED <i>8/3/11</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Chad Schifsky, hereby disclose that on August 3rd, 2011:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

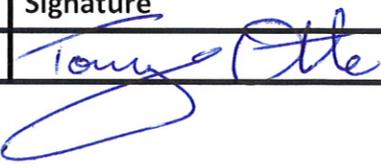
Grants + Aids for Special Events budget for the Hospitality Group of Flagler Ave. I am a member of the hospitality group, as well as a business owner in which participates in these events.

8/17/11
Date Filed

Chad Schifsky
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Claudia Soulie		
Meeting Date: July 6, 2011		
Action Item Title: CRA Grant Time extension requests - Pat Collado – 402 Flagler Ave.		
Agenda Section: Consent <input checked="" type="checkbox"/> Public Hearing _____ Special Items _____		
<p>Summary Explanation and Background</p> <p>On June 8, 2011 the CRA approved a Commercial Property Improvement Grant and a Commercial Matching Revitalization Grant for 402 Flagler Ave. Subsequently, these applications were approved by the City Commission on June 28, 2011.</p> <p>Ms. Pat Collado has contacted staff requesting a time extension until December 27, 2011. (see attached email).</p>		
<p>Recommended Action/Motion:</p> <p>Approve the requested time extension contingent that the applicant re-submit the application should there be any revisions to the plans that were reviewed and approved by the CRA and City Commission.</p>		
<p>Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:</p> <p>Account number 120.51502.583001, which has a balance of \$370,000.</p>		
<p>Exhibits Attached:</p> <p>1. Time extension request email from Pat Collado dated September 28, 2011</p>		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

Soulie, Claudia

Subject: FW: Commercial Property Improvement Grant / 402 Flagler Ave.

From: Pat Collado [mailto:newsmyrnahomes@yahoo.com]
Sent: Wednesday, September 28, 2011 2:45 PM
To: Soulie, Claudia; newsmyrnahomes@yahoo.com
Subject: Commercial Property Improvement Grant / 402 Flagler Ave.

Dear Claudia, Thanks so much for taking a few minutes to talk with me this morning. As we discussed, I need an extension for my awarded Grant for the improvement of the 402 Flagler Ave. property. It is taking me much longer to get started than I thought. I would like to have a 90 day extension.

I started this project a while back and had bids from three different qualified good Contractors. The contractors broke down the bids with sub-contractor bids and expenses. The prices quoted were just too high and half of the subs were not local Edgewater, New Smyrna, Port Orange people. That bothered me along with the cost being just way more than I could afford. I felt that by starting my own construction company with Scott Yurchison (with the construction downturn has become a successful Collado Real Estate realtor) as my qualifier and Susie Stewart (a realtor at CRE too) as the on site supervisor, I would be able to have good control of expenses and contractors. We can now afford to construct.

Well, as you know, this starting of our own construction company is not an overnight doing. We had to go on line and form an LLC with a name that was available and made sense that we all agreed on. We had to open a separate checking account for our company. Then we had to get all of our liability and other insurances and proper state, county, and city licenses, along with workman's comp. exemptions....this all takes much longer than anticipated. We should have all of that paperwork completed and in order within the next two weeks. Then we can send all plans back into the city under this new construction company and then break ground!!! This has been a long process, but God willing, I will live to be 110 yrs.old and in good health, so this bldg. will have to last thru my lifetime and hopefully, my son Max's lifetime (he just turned 18 and passed his state real estate exam). I just need to get it started, so please grant to me a 90 day extension.

Pat Collado
Collado Real Estate
386-451-5564 cell
386-427-0002 office
386-427-0038 fax
newsmyrnahomes@yahoo.com
www.patcolladorealestate.com

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte

Meeting Date: October 5, 2011

Action Item Title : NSB Waterfront Loop billboard

Agenda Section: Consent Public Hearing Special Items

Summary Explanation and Background

The CRA has been approached by the Canal Street Historic District (CSHD) Association with the opportunity to cooperatively advertise* on an I-95 billboard. In exchange for equally sharing the cost, the CSHD Association offers full creative authority to the CRA and agrees with the CRA suggested ad concept.

The CRA's suggested ad concept would place a "Do the Loop!... from the Canal Street Historic District" ad on the billboard. This concept is in keeping with the "cooperative advertising program" listed under Objective 4 (p. 18) of the NSB Waterfront Loop Marketing Plan (2011). The cooperative ad provides an avenue for the NSB Waterfront Loop to define its assets while offering an affordable marketing tool for the CSHD.

The text – "Do the Loop!" – is the initial advertising campaign as outlined in the NSB Waterfront Loop Marketing Plan (p. 15). The ad also will contain the Loop logo, a photo of Historic Canal Street, the Loop's website address, and directions for drivers (e.g., "Next exit 249 A. Then east three miles").

Upon approval of this advertising concept, the opportunity to cooperatively advertise also would be extended to other merchants associations within the CRA (e.g., Flagler Avenue and Third Avenue). Outdoor advertising opportunities on feeder highways (e.g., US 1, I-95 and I-4) near the New Smyrna Beach exits would be considered for a 50/50 partnership that would provide the CRA creative control and include a "Do the Loop!" advertisement that also promotes the character district in the manner listed above. In each of the cooperative outdoor advertising opportunities, the lessor must be the merchant association, which will be reimbursed by the CRA.

The "Do the Loop!... from the Canal Street Historic District" billboard is 10'x40' and is located on southbound I-95 – 3 miles north of the S.R. 44 exit. It faces north to be viewed by southbound traffic. S.R. 44 is the next exit for these travelers.

Upon approval, the billboard will be erected on or about October 24, 2011, and remain in place for 12 months.

According to Lamar Outdoor Advertising, the daily effective circulation is 21,285. This is the number of cars that pass the billboard daily. The billboard offers 75,986 "eyes on impressions" – a weekly estimate of the number of people who are expected to "glimpse the board verses just drive by it," according to Lamar Outdoor Advertising.

The NSB Waterfront Loop is the approved name to be used in the branding of the CRA. This effort follows the recommendation on p. 49 of the CRA Master Plan Update for "branding the Loop."

Summary Explanation and Background cont.

*The CSHD will be named as lessor on the contract. The CRA will reimburse the CSHD for half the cost, which is budgeted as "outdoor advertising" (NSB Waterfront Loop Marketing Plan (p. 23).

Recommended Action/Motion:

Approval of cooperative outdoor advertising concept with NSB Waterfront Loop merchant groups.

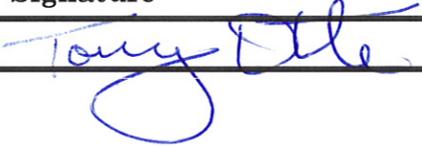
Funding Analysis: Budgeted x

Outdoor advertising is funded in budget line item 120.51502.548001, Promotional Expense. The total cost of renting the billboard for 52 weeks is \$13,600. This equates to \$250 per week for 52 weeks and a \$600 deposit/production fee. The CRA's share would be one half of this amount: \$6,800, with a \$300 deposit/production fee and monthly payments calculated at \$125 per week.

This line item is budgeted at \$300,000. The Marketing Plan for the NSB Waterfront Loop has a breakdown for the \$300,000 with an allocation for Outdoor Advertising at \$ 27,500.

Exhibits Attached:

1. Proposal letter from the Canal Street Historic District Association.
2. Proposal packet from Lamar Advertising for lease of billboard.

Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

New Smyrna Beach Mainstreet, Inc.
dba Canal Street Historic District Association
Post Office Box 641
New Smyrna Beach, FL 32170

September 14, 2011

Mr. Tony Otte
CRA Director
c/o City of New Smyrna Beach, CRA
210 Sams Avenue
New Smyrna Beach, FL 32168

Dear Mr. Otte;

One of our Canal Street Historic District Association (CSHDA) members has negotiated advertising terms with Lamar Outdoor Advertising to advertise on a 10' x 40' billboard located on the southbound (west side) lane of I-95, south of the Port Orange exit and just north of the New Smyrna Beach, SR 44 exit.

In order to incorporate the branding of The NSB Waterfront Loop, the Canal Street Historic District Association is offering the CRA a partnership in the creation of a highly visible billboard to encourage winter visitors, who will soon be traveling south on I-95, to exit I-95 at the New Smyrna Beach, SR 44 ramp to east SR44. This billboard also will be viewed by vehicles traveling south from the Daytona Beach International Airport and points north.

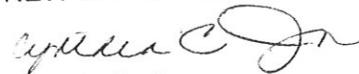
We offer a 50% financial participation with full creative authority in designing a billboard to direct travelers to "Do the Loop from the Canal Street Historic District."

In this partnership, the full cost to both parties is \$13,600. This equates to \$250 per week for 52 weeks of outdoor media rental space and a \$600 deposit/production fee for the artwork to be placed on the billboard. The CRA's annual share of the cost would be \$6,800, which includes a \$300 deposit/production fee to secure the space. Monthly payments calculated at \$125/week will follow and will be payable to the Canal Street Historic District Association – the entity named on the contract as leasee.

Please advise of your interest in partnering under these terms as our association would like to take advantage of this opportunity by placing a deposit.

Best Regards,

NEW SMYRNA BEACH MAINSTREET, INC

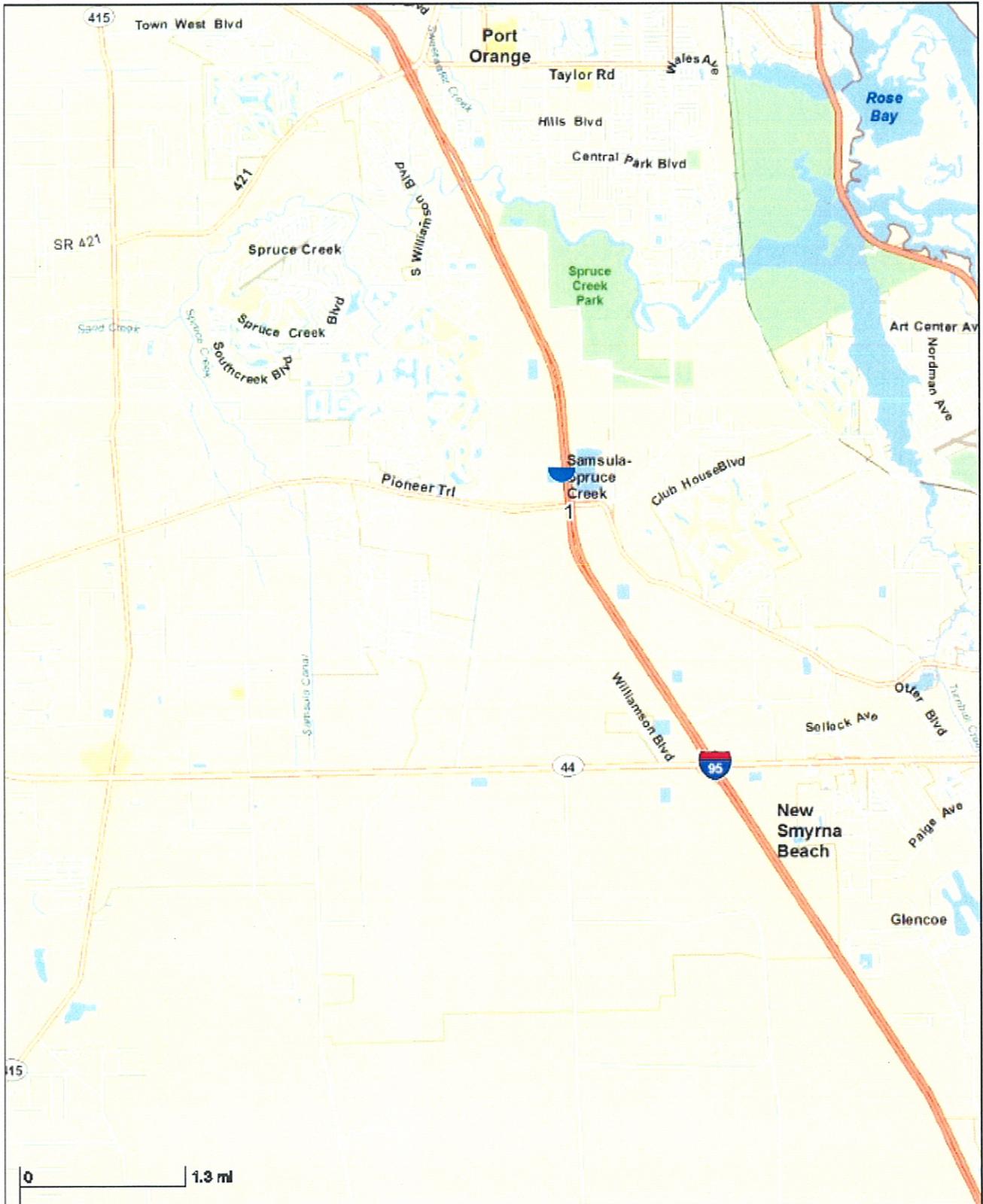


Cynthia C. Jones,
President



NEW SMYRNA CANAL STREET

Map #1



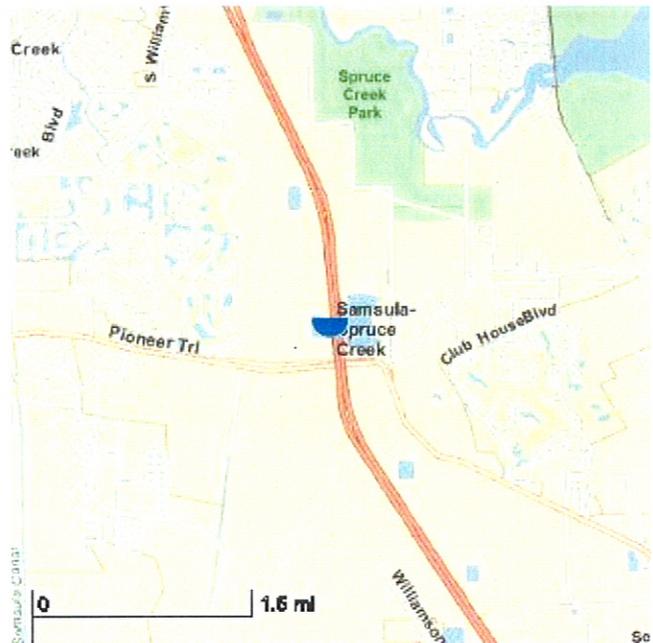


NEW SMYRNA CANAL STREET



Location #1

- Panel: 1462
- Media/Style: Permanent Bulletin/Regular
- Market: NEW SMYRNA BEACH
- Location: W/S I-95 3 MI N/O SR 44, S/B
- Facing/Read: North / Right
- Copy Size: 10' 0" x 40' 0" [Spec Sheet](#)
- Vinyl Size: 11' 0" x 41' 0"
- Illuminated: NO
- DEC: 21285
- Total Weekly EOI: 75986
- Lat/Long: 29.05183 / -81.00809
- Rate: \$1000 net per period
- Current Advertiser: LIFE ADS
- Misc: vinyl \$600



Contact Lamar Advertising of Daytona

Physical Address: 475-L Fentress Blvd., Daytona Beach, FL 32114 - Mailing Address: 475-L Fentress Blvd., Daytona Beach, FL 32114 - Phone:800-468-8018, Fax:386-252-8386



NEW SMYRNA CANAL STREET

Map Icon	Label	Panel#	Media/Style	Facing	H x W	DEC	Total Weekly EOI	Illum.
	1	1462	Permanent Bulletin / Regular	North	10' 0" x 40' 0"	21285	75986	NO

Location: W/S I-95 3 MI N/O SR 44, S/B

Current Advertiser: LIFE ADS

Rate: \$1000 net per period

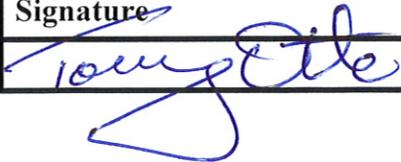
Misc: vinyl \$600

Total DEC: 21285

Total EOI: 75986

OLD BUSINESS

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date October 5, 2011		
Action Item Title: Contract for Professional Services: Donna M. Gray-Banks		
Agenda Section: Consent <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input type="checkbox"/>		
Summary Explanation and Background		
<p>Donna M. Gray-Banks has been under contract with the City since August 2010 to direct efforts to establish the business incubator in the Historic Westside. These duties have included arranging business start-up seminars, arranging for job training, and coordinating leasing efforts with the family who owns the building at the Northwest corner of Washington and Dimmick (the family is in the process of seeking clear title to the property). Those duties are paid for with CRA funds.</p> <p>In addition, Ms. Gray-Banks also serves as a “community resource” for the Historic Westside. These duties would be expanded to include:</p> <ul style="list-style-type: none"> • CDBG Advisory Board and monitoring of funds. • Full-time office at Babe James Center • Liaison with Housing Authority • Westside Community Events • Expansion of Community Resource Service <p>This work is being paid from the City’s General Fund, which was approved in the FY 11-12 Budget by the City Commission.</p>		
Recommended Action/Motion: Approval of contract		
Funding Analysis: Budgeted <input type="checkbox"/> N/A <input type="checkbox"/> If not budgeted, recommend funding account:		
CRA - 120.51502.531099 - \$25,000 General Fund – 001-51901.531099 - \$25,000		
Exhibits Attached: Draft Contract, Status Report for new contract and listing of activities accomplished during 2010 are attached		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

CONTRACT EMPLOYMENT AGREEMENT

This agreement, made and entered into this ___ day of ____, 2011, by and between the Community Redevelopment Agency of the City of New Smyrna Beach and the City of New Smyrna Beach, hereinafter called the "CRA/NSB" as party of the first part, and Donna M. Gray-Banks, hereinafter called "Contract Employee", as party of the second part, both of whom understand as follows:

WITNESSETH

WHEREAS, the CRA/NSB wishes to employ the services of said Contract Employee as a Community Resource Coordinator;

NOW THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

SECTION I: EMPLOYMENT AND EVALUATION

- (A) Duties - The CRA/NSB hereby agrees to contract for the services of the Contract Employee full time under the direction of the City Manager and the CRA Director, to perform the functions and duties needed to properly oversee implementation and operation of the West Side Incubator project and continue to develop and sustain community services for the residents of NSB. (Refer to outline of full responsibilities, which is attached in Exhibit A.)
- (B) Additional Terms – CRA/NSB shall fix any other terms and conditions as it may determine from time to time, relating to the performance of the Contract Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of the Agreement, the City Ordinance(s), and any other law. The Contract Employee shall provide services under the direction of the CRA Director and the City Manager. The Contract Employee will work an average of forty (40) hours a week as scheduled by the CRA Director and the City Manager. It is understood that the Contract Employee would not engage in other employment that would interfere with the duties described herein. In addition, the Contract Employee shall not engage in any activity that represents a conflict of interest or may give the appearance of a conflict of interest, including accepting any goods or services from anyone.

SECTION II: TERM OR AGREEMENT

1. This agreement shall be for a one year period beginning November 7, 2011 and ending November 6, 2012; provided, however that nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Contract Employee or the CRA/NSB to terminate the services of the Contract Employee at any time with a notice of intent of 30 days, with or without cause during the term of this Agreement, and Contract Employee shall serve at the will and pleasure of the CRA/NSB.
2. This Agreement shall not be automatically renewed unless the CRA/NSB and the Contract Employee enter into an agreement to do so. In the absence of such an agreement, this Agreement shall expire on November 7, 2012.

3. The Contract Employee is not entitled to any continuation of employment or any of the rights or benefits provided CRA/NSB employees pursuant to City Personnel Policies (appendix A of the City Code), including but not limited to health insurance, life insurance, pension, holidays, and personal leave.
4. The Contract Employee shall provide her own transportation to perform the work required in this contract and shall name the City as an additional insured.

SECTION III: COMPENSATION

(A) Salary:

1. The CRA agrees to pay the Contract Employee for the services rendered pursuant hereto \$26.04 per hour, payable through the City in monthly installments. Contractor shall be responsible for turning in all agreed upon paperwork on the last day of each month. City will be responsible for paying the Contractor on or before the 15th of the following month.

(B) Vehicle Allowance:

1. The Contract Employee shall be paid a vehicle allowance of \$1,200.00 payable in 12 equal monthly installments of \$100 each.

SECTION IV: GENERAL PROVISIONS

- (A) The text herein shall constitute the entire Agreement between the parties.
- (B) This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee.
- (C) If any provision or any portion thereof contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or a portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

IN WITNESS WHEREOF, the CRA/NSB as caused this Agreement to be approved and to be executed by its City Manager and duly attested by its City Clerk, and the Contract Employee has signed and executed this Agreement, both in duplicate, the day and year first written above.

Pam Brangaccio
City Manager

Date

ATTEST:

Johnny Bledsoe

Date

City Clerk

Donna M. Gray-Banks
Contractor

Date

**STATE OF FLORIDA
COUNTY OF VOLUSIA**

BEFORE me, the undersigned duly authorized by law to administer oaths and take acknowledgements, did appear, Pam Brangaccio, City Manager and Johnny Bledsoe, City Clerk, and for and on behalf of the City of New Smyrna Beach, each signed the foregoing employment agreement on the date and year herein written, pursuant to authority of the City Commission of the City of New Smyrna Beach, Florida.

WITNESS my hand and official seal this _____ day of _____, 2011.

Notary Public

Approved as to form and
Correctness:

Frank B. Gummey, III
City Attorney

Date



City of NSB

Exhibit "A"

MONTHLY STATUS REPORT

Donna M. Gray-Banks

Month - Day - Year

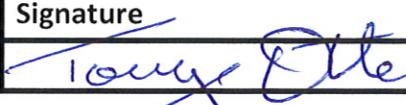
Draft	Date	Action	Responsible Entity	Completed Hours	Personnel
Planning and Administration (NSB)					
		Maintaining a viable administrative office to insure sustained coordination of approved activities, i.e., assistance with food stamps, unemployment, Medicaid and other social service needs. This office will be opened to residents two days per week to provide those services mentioned. This office will also maintain client files, visit rosters, etc.	Community Resource Coordinator		
		Develop and distribute monthly status reports to the City of NSB	Community Resource Coordinator		
		Establish a health and service provider coalition to provide services to the residents of the West Side. i.e., Sickle Cell Testing, Lupus Testing, HIV/AIDS Testing, Lions Club partnerships, Volusia County Health Department partnership, etc.	Community Resource Coordinator		
		Liaison to the West Side Community for all CDBG Community Service Funding received from the County of Volusia and the City of NSB	Community Resource Coordinator		
		Attend all ad hoc and scheduled meetings with the City and County concerning CDBG Community Service funds and other services on the West Side.	Community Resource Coordinator		
		Attend and/or conduct informal resident meetings to obtain community input at the grassroots level.	Community Resource Coordinator		

Exhibit "A"

Draft	Action	Responsible Entity	Completed Hours	Personnel
Administration				
	Assist the West Side Community in establishing a 501C3 to help provide funding for community events and projects.	Community Resource Coordinator		
	Coordination of four major West Side Community Events calendar year.	Community Resource Coordinator		
	Other Duties As Assigned			

Date	Action	Responsible Entity	Completed Hours	Personnel
	Planning/CRA Incubator			
	Developing programs and projects around the mission statement of the incubator	Community Resource Coordinator		
	Continuation of Business Classes in collaboration with the Daytona State College two times per year	Community Resource Coordinator		
	Liaison between the City CRA and the West Side Community by providing necessary updates to the community on the progress of the incubator	Community Resource Coordinator		
	Attending all CRA Incubator meetings at the behest of the CRA Director	Community Resource Coordinator		
	Upon completion of Incubator consideration must be given to: Financial Stability Assist with staffing/volunteers Obtaining an Advisory Board Establish Marketing Strategy Careful selection of entrepreneurs who support the incubator's mission and goals; who are willing to take advice and share information and are willing to make the financial commitment necessary to sustain the incubator.	Community Resource Coordinator		
	Other Duties As Assigned			

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Claudia Soulie		
Meeting Date: October 5, 2011		
Action Item Title: Large Grant Application Amendment – 545 Washington Street		
Agenda Section: Consent_____ Public Hearing_____ Special Items___x__		
Summary Explanation and Background		
<p>At the September 7, 2011 meeting the CRA approved a Large Grant application for a residential infill project at 545 Washington Street proposing four (4) cottages on one parcel (rehabbing of 1 existing structure and construction of 3 new ones). (Cottage "B", also located on the same parcel, which brings the total number of cottages to five (5), has received a residential grant award and was not included in the Large Grant proposal).</p> <p>Since the grant amount exceeds \$25,000, the application was scheduled for ratification by the City Commission on September 27, 2011. The City Commission postponed approval of the grant application pending the issuance of an approved siteplan.</p> <p>Mr. Kung has been in touch with CRA staff and stated that the additional delay would cause the existing structure (Cottage "A") to further deteriorate, resulting in heightened material costs and that at this point, he has decided to revise his original project scope and withdraw Cottage "A" from the proposal, so that they may start work on Cottage "A" sooner. Furthermore, after discussion with the Planning Department the applicant has also chosen to completely eliminate construction of the proposed Cottage "E" from the project.</p> <p>The applicant has now revised his Large Grant application to only include new construction for Cottages "C" and "D" along with landscaping, driveway work and parking. Attached please find the revised conceptual rendering as well as a cost estimate for Cottages "C" and "D" in the amount of \$112,103. This estimate includes costs in the amount of \$4,700 that are not eligible for reimbursement, thus, the adjusted total is \$107,403, representing a reduction of \$42,961 from the original application. CRA reimbursement request remains at \$50,000. The applicant is in the process of obtaining a revised second estimate to be provided to staff on or before October 5, 2011.</p> <p>Staff recommends approval of the revised application contingent on the applicant obtaining an approved Site Plan. Depending on the Planning Manager's recommendation, the application may have to go before the Planning and Zoning Board prior to being scheduled for review and ratification by the City Commission.</p>		
Recommended Action/Motion:		
Approval of the revised Large Grant application in the amount of \$50,000.		
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:		
Funds are available in an allocation of \$200,000 from line item 12051502.583003, which has an available budget of \$1,379,533.		
Exhibits Attached:		
1. Revised Packet submitted by the applicant		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		
		

Soulie, Claudia

From: Xiao Han [livebaitinc@yahoo.com]
Sent: Wednesday, September 28, 2011 11:04 PM
To: Soulie, Claudia
Subject: Grant program

Claudia:

During the City Commission Meeting on September 27, 2011 we were told by the council they would postpone the vote of approval pending a submission of an approved engineer site plan. In light of this we have decided to remove the COTTAGE A from the grant proposal. This is because the material we already have will be ruined by age during the postponement period and we will have to replace all the material, thus effecting the cost of construction. In order to avoid this we shall remove it from the grant proposal and finish COTTAGE A without assistance from the CRA grant. We shall adjust the remainder of the grant proposal with an approved engineer site plan on the next CRA and commissioner meeting. Thank you for your patience and assistance in this matter.

Sincerely,

Shui Kung

Washington Avenue

ESSIAN CONSTRUCTION LLC

1180 HARWOOD AV.

ALTAMONTE SPRINGS, FL 32714

407-245-8920/407-245-8293 Fax

Detail Breakdown

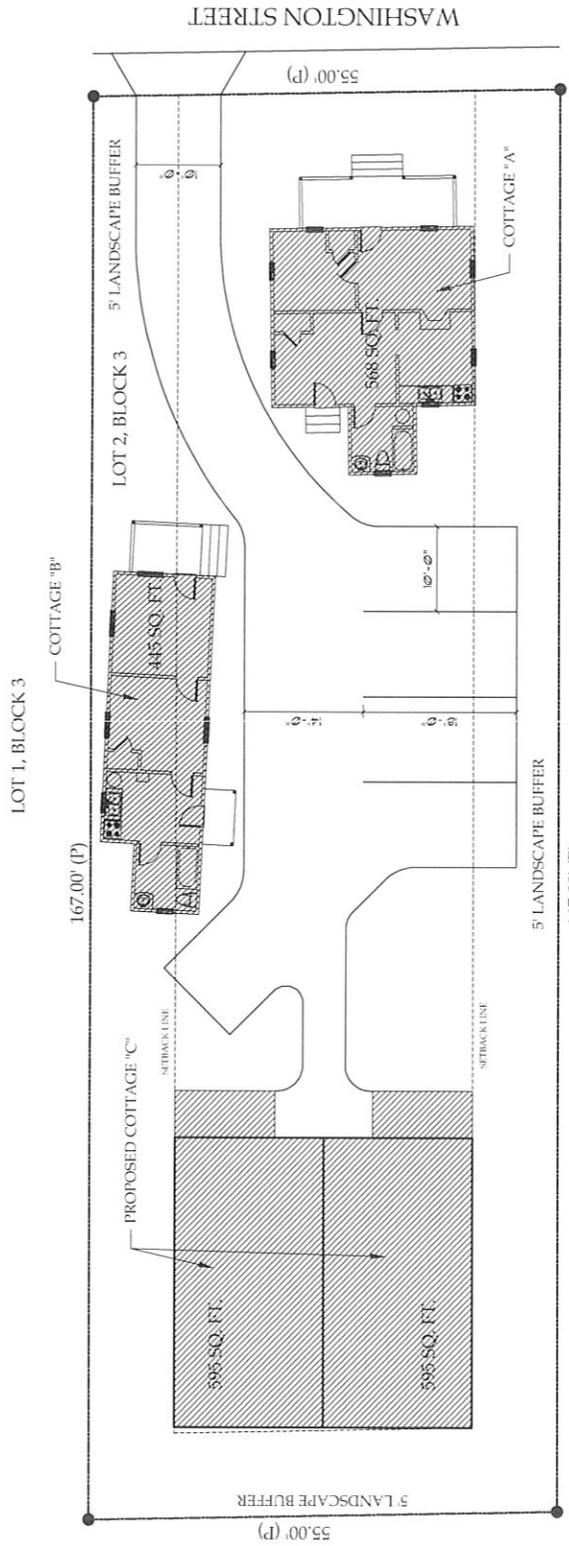
Phase 30 - Houses		Cottages "C&D "	Notes Cost Per House
Demolition & Dumpsters			
	DEMO & GENERAL LABOR/SITWORK	2500	
	DUMPSTER PULLS	2200	<i>Operating Expense w/ Vehicle</i>
	SUBTOTAL - DEMOLITION&DUMPSTERS		
Division 3 - Concrete			
0320	Concrete Foundation (F & I)	0	
0330	Termite Control	250	
0370	Concrete Walks	1,750	
	Concrete Slabs	7,866	Slab on Grade
	Parking Areas	11,880	Per Zoning Requirmnts
	SUBTOTAL - CONCRETE		
Division 4 - Masonry			
0410	Masonry	0	
	SUBTOTAL - MASONRY	2,100	<i>3 Hour Rated Wall</i>
Division 6 - Carpentry			
0611	Exterior Plywood Studs	6,200	
0612	Framing Labor to Install Exterior Plywood and Studs	8,500	
	Framing Hardware	2,000	
0630	Wood Roof Trusses	2,200	
0650	Casework	1,250	
0650	Interior Doors - Wood Doors	1,125	
	Interior Doors - Wood Doors/Install	500	
	Door Hardware	166	
0660	Cabinets	2,500	
	SUBTOTAL - CARPENTRY		
Division 7 - Moisture Protection			
0720	Insulation - Loose Fill	2,250	
0730	Roofing (F & I) - Asphalt Shingles	7,400	
	Vinyl Siding Soffits w/ Vents & Fascia Wrap	12,500	
	SUBTOTAL - MOISTURE PROTECTION		
Division 8 - Doors, Windows, Hardware			
0830	Ext. Doors & Aluminum Windows	1,733	
	SUBTOTAL - DOORS, WDWS, HDWE		
Division 9 - Finishes			
0910	Drywall	3,500	
0930	Tub Surrounds	500	
0960	Carpet (Allowance - \$14/SY)	2,133	
0980	Painting/Wall Coverings & Tile	2,500	
	SUBTOTAL - FINISHES		

Washington Avenue
 ESSIAN CONSTRUCTION LLC
 1180 HARWOOD AV.
 ALTAMONTE SPRINGS, FL 32714
 407-245-8920/407-245-8293 Fax
 Detail Breakdown

Phase 30 - Houses		Cottages "C&D "	
1110	Appliances	2,500	<i>not eligible</i>
	SUBTOTAL - EQUIPMENT		
	Division 15 - Mechanical		
1510	Plumbing	5,000	
	HVAC	6,200	
	SUBTOTAL - MECHANICAL		
	Division 16 - Electrical		
1610	Electrical	6,400	
	Underground Primary/Secondary	1,000	
	SUBTOTAL - ELECTRICAL		
	Landscaping	5,500.00	
	SUBTOTAL - HOUSES	112,103	#REF!

\$ 107,403

*CRA Funding amount
 requested \$ 50,000*

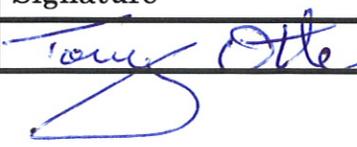
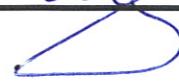


Site Plan

Scale: 1"=10'

LEGAL DESCRIPTION:
 LOT 2 BLK 3 SHELDONS NEW SMYRNA PER OR 3735 PG. 494 COPY
 OF D/C PER OR 5423 PGS. 0031-0033 INC PER OR 5648 PG. 4472 PER OR
 5996 PG. 0652 PER OR 6052 PG. 4840 PER OR 6052 PG. 4841 OF THE
 PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte														
Meeting Date: October 5, 2011														
Action Item Title: Flagler Ave Boardwalk Improvements Project - Bid Award														
Agenda Section: Consent <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input type="checkbox"/>														
Summary Explanation and Background: On September 20, 2011, bids were opened publicly at 2:00pm at City Hall for the Flagler Ave Boardwalk Improvements Project. Six (6) bids were received and were as follows: <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">A.G. Pifer</td> <td style="text-align: right;">\$ 899,495.00</td> </tr> <tr> <td>Bean Construction</td> <td style="text-align: right;">\$ 919,690.00</td> </tr> <tr> <td>Saboungi Construction</td> <td style="text-align: right;">\$ 923,420.00</td> </tr> <tr> <td>C & D Construction</td> <td style="text-align: right;">\$ 997,000.00</td> </tr> <tr> <td>DJ Haycook</td> <td style="text-align: right;">\$1,063,018.00</td> </tr> <tr> <td>Shoemaker Construction</td> <td style="text-align: right;">\$1,087,300.00</td> </tr> </table> <p>The apparent low bidder is A.G. Pifer at \$899,495.00 and that includes Alternates 1 and 2 (please see the attached Bid Tabulation Sheet, Bid Summary, and a copy of A.G. Pifer's bid). A.G. Pifer has not done work for the city previously, however, when their references were checked Volusia County, City of Deland, and the Volusia Housing Authority of Daytona Beach all gave A.G. Pifer positive references and recommendations of hiring them again.</p> <p>Staff recommends awarding the Flagler Ave Boardwalk Improvements Project contract to A.G. Pifer at the amount of \$899,495.00.</p>			A.G. Pifer	\$ 899,495.00	Bean Construction	\$ 919,690.00	Saboungi Construction	\$ 923,420.00	C & D Construction	\$ 997,000.00	DJ Haycook	\$1,063,018.00	Shoemaker Construction	\$1,087,300.00
A.G. Pifer	\$ 899,495.00													
Bean Construction	\$ 919,690.00													
Saboungi Construction	\$ 923,420.00													
C & D Construction	\$ 997,000.00													
DJ Haycook	\$1,063,018.00													
Shoemaker Construction	\$1,087,300.00													
Recommendation: Recommend awarding the Flagler Ave Boardwalk Improvements Project contract to A.G. Pifer at the amount of \$899,495.00.														
Funding Analysis: Budgeted <input type="checkbox"/> If not budgeted, recommend funding account: Account # 12051502-567778														
Exhibits Attached: Bid Tabulation Sheet, Bid Summary, Copy of A.G. Pifer's bid														
Reviewed By:	Name	Signature												
CRA Director	Tony Otte													
Commission Action: <div style="text-align: right; margin-right: 100px;"></div>														



City of New Smyrna Beach

Flagler Avenue Seawall, Pavilion & Site Improvements 2011
New Smyrna Beach, Florida

Sealed Bids for the referenced project were opened publicly in City Hall on Tuesday, September 20, 2011, at 2 p.m.
 The following is a list of the General Contractors who submitted a bid for this project.

CONTRACTOR	BID AMOUNT Base Bid with	BID BOND	ADDENDUM #1	ADDENDUM #2
TD Highest Construction	\$1,263,000	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	<input checked="" type="checkbox"/> Y
Sabana Construction	\$923,420.00	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	<input checked="" type="checkbox"/> Y
CTD Construction Inc	\$997,000.00	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	<input checked="" type="checkbox"/> Y
Shemake Construction Co	\$1,087,300.00	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	<input checked="" type="checkbox"/> Y
Bean Construction	\$910,690.00	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	<input checked="" type="checkbox"/> Y
DG Pifer Const. Co	\$899,495.00	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	<input checked="" type="checkbox"/> Y
	\$	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> Y
	\$	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> Y
	\$	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> Y
	\$	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> Y
	\$	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> Y
	\$	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> Y
	\$	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> Y
	\$	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> Y
	\$	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> Y
	\$	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> Y

Witness Heidi Vanatta
9/20/11
 Date

FLAGLER AVENUE SEAWALL, BOARDWALK, PARKING AREA AND RESTROOM IMPROVEMENTS
CITY OF NEW SMYRNA BEACH, FL
BID DATE: TUESDAY, SEPTEMBER 20, 2011

Engineers Certification
 I hereby certify that this is a true and correct copy of the bids received. If applicable, unit prices were assumed to prevail in correcting errors made by bidders. Owner may choose to award bid based upon original submitted.

Brad T. Blais, P.E.
 Quantin L. Hampton Associates
 Florida Registration No. 47130
 No 47130
 STATE OF FLORIDA
 PROFESSIONAL ENGINEER
 Date 9/21/11

PREFIX A WORK - SITE PARKING, DESIGN AND SITE ENGINEERING

Lump Sum	\$ 114,000.00	\$ 201,950.00	\$ 212,040.00	\$ 260,000.00	\$ 152,384.00	\$ 263,800.00
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PREFIX B WORK - SEAWALL AND BRICK DECK AREA REPAIR WORK

Hex #	Brief work item description	Item Cost					
B1	Demolition of existing sidewalk/curb & new CIP H/C ramp, etc. REMOVED	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX
B2	Demolition of existing and replacement of new seawall cap, etc.	\$ 28,358.00	\$ 33,000.00	\$ 22,870.00	\$ 23,500.00	\$ 53,662.00	\$ 32,000.00
B3	Zone One dead men installation	\$ 35,040.00	\$ 22,100.00	\$ 40,500.00	\$ 28,000.00	\$ 54,000.00	\$ 54,800.00
B4	Zone Two dead men installation	\$ 12,200.00	\$ 7,650.00	\$ 13,500.00	\$ 10,000.00	\$ 20,000.00	\$ 12,400.00
B5	Seawall and misc. wall surface ultra high pressure water blasting	\$ 3,800.00	\$ 8,960.00	\$ 19,900.00	\$ 22,000.00	\$ 11,650.00	\$ 26,500.00
B6	Replace affected vegetation/repair adjacent structure due to #5	\$ 27,000.00	\$ 1,000.00	\$ 5,000.00	\$ 8,500.00	\$ 3,412.00	\$ 8,500.00
B7	100% Demolition of wood fencing/posts/bench	\$ 3,800.00	\$ 1,750.00	\$ 2,000.00	\$ 4,500.00	\$ 2,123.00	\$ 1,700.00
B8	Pressure wash clean 100% brick areas for removal/reinstallation	\$ 853.00	\$ 940.00	\$ 860.00	\$ 3,000.00	\$ 1,006.00	\$ 900.00
B9	Brick paver removal/reinstallation in area of deck/wall	\$ 8,615.00	\$ 9,460.00	\$ 8,620.00	\$ 13,000.00	\$ 20,621.00	\$ 16,200.00
B10	Area 1 deck repairs (100% per Hex number bid listing)	\$ 9,250.00	\$ 6,290.00	\$ 13,500.00	\$ 33,000.00	\$ 15,910.00	\$ 14,500.00
B11	Area 2 deck repairs (100% per Hex number bid listing)	\$ 300.00	\$ 1,500.00	\$ 520.00	\$ 5,000.00	\$ 253.00	\$ 700.00
B12	Area 3 deck repairs (100% per Hex number bid listing)	\$ 2,250.00	\$ 1,350.00	\$ 600.00	\$ 15,000.00	\$ 6,586.00	\$ 1,800.00

A.G. Pifer Bean Construction Saboungi Construction C&D Construction D.J. Haycock Shoemaker Construction

FLAGLER AVENUE SEAWALL, BOARDWALK, PARKING AREA AND RESTROOM IMPROVEMENTS
 CITY OF NEW SMYRNA BEACH, FL
 BID DATE: TUESDAY, SEPTEMBER 20, 2011

		A.G. Pifer	Bean Construction	Saboungi Construction	C&D Construction	D.J. Haycock	Shoemaker Construction
B13	Areas 1 and 2 only - Crushed concrete sub-base	\$ 2,800.00	\$ 4,180.00	\$ 2,000.00	\$ 9,000.00	\$ 5,289.00	\$ 6,100.00
B14	Install/repair concrete wall patching as described on Hex number bid listing	\$ 4,100.00	\$ 10,720.00	\$ 3,000.00	\$ 7,000.00	\$ 15,383.00	\$ 1,900.00
B15	Skim coating of beach side wall areas	\$ 18,400.00	\$ 7,680.00	\$ 6,400.00	\$ 6,000.00	\$ 12,621.00	\$ 24,700.00
B16	Damp proofing, wall cleaning/patching and silt screening	\$ 3,000.00	\$ 4,410.00	\$ 6,300.00	\$ 5,000.00	\$ 6,496.00	\$ 16,100.00
B17	Re-grade sand to wall and T/C ramp and planning of sea walls	\$ 10,400.00	\$ 3,250.00	\$ 2,500.00	\$ 8,000.00	\$ 3,281.00	\$ 7,500.00
B18	Furnish/install cable guard railing system/handrails on new cap	\$ 72,000.00	\$ 62,400.00	\$ 59,600.00	\$ 66,000.00	\$ 65,747.00	\$ 68,800.00
B18a	Furnish/install lighting into 2 x 2 posts REMOVED	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX
B19	Furnish/install cable guard railing system/handrails at steps	\$ 18,130.00	\$ 10,200.00	\$ 7,700.00	\$ 10,000.00	\$ 8,468.00	\$ 8,900.00
B20	Provide clear coat concrete sealer to new concrete surfaces	\$ 3,300.00	\$ 3,600.00	\$ 3,000.00	\$ 9,000.00	\$ 3,528.00	\$ 2,800.00
B21	Install wood bench, as described	\$ 700.00	\$ 600.00	\$ 600.00	\$ 500.00	\$ 706.00	\$ 1,000.00
B22	Remove/replace/reinstall electrical items as described	\$ 6,365.00	\$ 2,700.00	\$ 2,500.00	\$ 2,500.00	\$ 1,167.00	\$ 2,900.00
B23	Remove/replace concrete curb and install shell sub-base as req.	\$ 1,420.00	\$ 2,200.00	\$ 2,200.00	\$ 4,500.00	\$ 32,752.00	\$ 2,300.00
B24	Remove/cap sprinkler lines subject to deck demolition	\$ 400.00	\$ 300.00	\$ 280.00	\$ 1,000.00	\$ 194.00	\$ 600.00
B25	Relocate survey marker	\$ 300.00	\$ 500.00	\$ 1,000.00	\$ 500.00	\$ 706.00	\$ 300.00
B26	Demolition and re-profiling of existing CIP concrete steps	\$ 8,000.00	\$ 10,560.00	\$ 8,400.00	\$ 5,000.00	\$ 9,875.00	\$ 5,000.00
B27	General brick paving repairs and cleaning, and the general conditions costs and OH&P, insurance, misc. fees/permit expense, rentals, barricades, etc. and any and all other items not specifically listed.	\$ 42,390.00	\$ 70,000.00	\$ 42,900.00	\$ 20,000.00	\$ 16,267.00	\$ 27,300.00
	Lump Sum	\$ 323,171.00	\$ 287,300.00	\$ 276,250.00	\$ 319,500.00	\$ 371,683.00	\$ 346,200.00
PREFIX C WORK - PAVILION REPAIR AND MODIFICATIONS							
Hex #	Brief work item description	Item Cost	Item Cost	Item Cost	Item Cost	Item Cost	Item Cost
C1	Demolition - Removal of existing items not required for modified structure	\$ 4,700.00	\$ 11,000.00	\$ 9,000.00	\$ 7,000.00	\$ 9,115.00	\$ 5,200.00

FLAGLER AVENUE SEAWALL, BOARDWALK, PARKING AREA AND RESTROOM IMPROVEMENTS

CITY OF NEW SMYRNA BEACH, FL

BID DATE: TUESDAY, SEPTEMBER 20, 2011

	A.G. Pifer	Bean Construction	Saboungi Construction	C&D Construction	D.J. Haycook	Shoemaker Construction	
C2	New framing, roof deck underlayment, wood repairs/blocking for modifications	\$ 18,900.00	\$ 24,300.00	\$ 17,000.00	\$ 55,000.00	\$ 15,195.00	\$ 16,900.00
C3	Sandblasting 100% and paint priming of exposed to view elements	\$ 3,900.00	\$ 5,800.00	\$ 6,200.00	\$ 10,000.00	\$ 7,057.00	\$ 14,200.00
C4	New roof installation (underlayment, flashing, tile, caulking, mesh screen vents)	\$ 28,475.00	\$ 40,000.00	\$ 30,500.00	\$ 24,000.00	\$ 36,714.00	\$ 32,200.00
C5	Wood patching and painting all exposed to view wood/metal surfaces	\$ 13,900.00	\$ 7,000.00	\$ 5,400.00	\$ 25,000.00	\$ 12,714.00	\$ 11,800.00
C6	Bird deterrent system - 100% installation	\$ 3,100.00	\$ 4,400.00	\$ 2,230.00	\$ 10,000.00	\$ 7,227.00	\$ 13,700.00
C7	New Electrical Power and Lighting, 100% installation, except as per Addendum #2: REMOVE SURFACE MOUNTED CAN LIGHT FIXTURES AND ASSOCIATED ABOVE GRADE CONDUIT WORK.	\$ 5,000.00	\$ 3,100.00	\$ 2,500.00	\$ 5,000.00	\$ 2,940.00	\$ 2,900.00
C8	Brick paver clean/repair/replace: all project fees; rentals; misc. exp. & OH&P	\$ 28,470.00	\$ 7,200.00	\$ 15,900.00	\$ 20,000.00	\$ 14,982.00	\$ 13,700.00
	Lump Sum	\$ 106,445.00	\$ 102,800.00	\$ 88,730.00	\$ 156,000.00	\$ 105,944.00	\$ 110,600.00
PREFIX D WORK - NEW REST ROOM BUILDING (Including Overhead and Profit)							
	Lump Sum (includes Overhead & Profit)	\$ 345,829.00	\$ 298,990.00	\$ 323,650.00	\$ 246,000.00	\$ 404,507.00	\$ 358,000.00
LUMP SUM BASE BID TOTAL:							
	\$ 889,445.00	\$ 891,040.00	\$ 900,670.00	\$ 981,500.00	\$ 1,034,518.00	\$ 1,078,600.00	
FOR ALTERNATE NO. 1: (Add/Deduct)							
	\$ 4,350.00	\$ 25,650.00	\$ 14,400.00	\$ 10,000.00	\$ 18,700.00	\$ N/A	
FOR ALTERNATE NO. 2: (Add/Deduct)							
	\$ 5,700.00	\$ 3,000.00	\$ 8,350.00	\$ 5,500.00	\$ 9,800.00	\$ 8,700.00	
TOTAL BASE BID PLUS ALTERNATES:							
	\$ 899,495.00	\$ 919,690.00	\$ 923,420.00	\$ 997,000.00	\$ 1,063,018.00	\$ 1,087,300.00	

D.J. Haycook Construction - Error in Additional Prefix B Work - Corrected Total Shown

FLAGLER AVENUE
SEAWALL, BOARDWALK, PARKING AREA
AND RESTROOM IMPROVEMENTS

REVISED PER ADDENDUM #2
REVISED SECTION 00300-1
BID PROPOSAL FORM

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

 ORIGINAL

ATTN: Assistant City Manager

FROM: Bidder (Registered Business Name and Address)

(Corporate Seal here, if applicable)

A.G. PIFER CONSTRUCTION CO INC

3629 OLD DELAND ROAD

DAYTONA BEACH FL 32124

59-2986219

(Federal tax ID FEIN/EIN number)

PROJECT: Flagler Avenue Seawall, Boardwalk,
Parking Area and Restroom Improvements
for the City of New Smyrna Beach, FL

To Whom It May Concern:

The undersigned, hereafter called ABidder@, having visited the site of the proposed Project and having become familiar with the local conditions, the quantities and scope of the Work, and having examined carefully the Bidding Documents and Contract Documents, proposes to furnish all labor, materials, equipment and other items, facilities and services and warranties and insurances for the proper execution and completion of the Contract for the Project referenced above in full accordance with the Contract Documents prepared by the firms of Quentin L. Hampton Associates, Inc. of Port Orange, Florida and Williamson Dacar Associates, Inc. of New Smyrna Beach, Florida and in full accordance with any and all other documents relating thereto and, if awarded the Contract, to complete said Work within the time limits specified for the following lump sum base bid:

Lump Sum Base Bid: Eight hundred Eighty nine thousand Four hundred and five Dollars (\$ 889,445.00)
pertaining to satisfactory completion of 100% of the Work of the Project as identified in the Bidding Documents and associated Contract Documents.

ALTERNATES: All alternates, if any, shall be listed below. With the foregoing as a Base Bid, the following costs of alternate proposals are submitted in accordance with the Drawings, Project Manual and Specifications requirements. All alternates must be quoted. The Bidder shall specifically indicate (circle one or the other) on the Bid Proposal Form whether the quotation is deductive or additive to the Lump Sum Base Bid, above.

Alternate No. 1: The restroom building foundation shall be constructed as a stem-wall type foundation with a thickened slab in lieu of a grade beam and pile type foundation, in consideration of the following adjustment to the lump sum base bid as follows:

(ADD/DEDUCT): FOUR THOUSAND THREE HUNDRED FIFTY Dollars (\$ 4,350.00)
AND 00/100

Alternate No. 2: For those portions of work as described as "alternate" on Drawing Sheet AE-1, adjust the base bid as follows:

(ADD/DEDUCT): FIVE THOUSAND SEVEN HUNDRED AND Dollars (\$ 5,700.00)
00/100

By submission of this Bid Proposal and evidenced by signature below, the Bidder understands and agrees that:

A. All forms necessary to fulfill the requirements of this Bid Proposal have been completed in full, attached together as a part of the complete Bid Proposal, and consist of the following:

1. Revised Section 00300 – Bid Proposal Form (including the Bid Itemization List)
2. Section 00310 – Schedule of Unit Prices
3. Section 00350 – Bid Security with Power of Attorney attached
4. Section 00490 – Trench Safety Affidavit

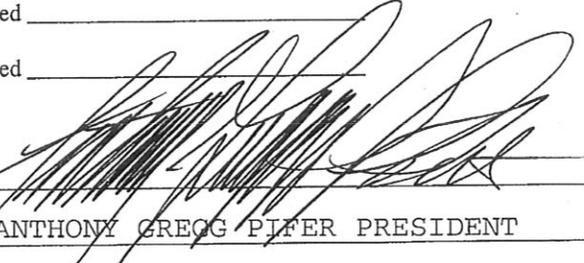
FLAGLER AVENUE
SEAWALL, BOARDWALK, PARKING AREA
AND RESTROOM IMPROVEMENTS

REVISED PER ADDENDUM #2
REVISED SECTION 00300-2
BID PROPOSAL FORM

- B. Bid Security in an amount of 10% of the total Bid Proposal Amount is attached hereto in such form and subject to such conditions as required by Section 00100 "Instructions to Bidders", Article 6.2, and as revised by Addendum #1.
- C. In the event the Contract is awarded to this Bidder, the Bidder will enter into a formal written Agreement with the Owner in accordance with the accepted Bid subject to all terms and conditions of the Bidding Documents.
- D. The Work of the Project shall commence on such date to be specified in a written Notice to Proceed and to be Substantially Complete within one hundred fifty (150) consecutive days thereafter, as specified in the Contractual Documents, and to achieve Final Completion 30 days thereafter, or be subject to Liquidated Damages, as described in these Specifications.
- E. It is understood that the Owner reserves the right to accept or reject any or all proposals and is not obligated to accept the lowest responsive Bid.

Acknowledgment is hereby made of the receipt of the following Addenda issued during the bidding period.

Addendum No. 1 Dated SEPTEMBER 09 2011
Addendum No. 2 Dated SEPTEMBER 19 2011
Addendum No. _____ Dated _____
Addendum No. _____ Dated _____
Addendum No. _____ Dated _____
Addendum No. _____ Dated _____

Signed By (Authorized Agent/Owner): 
Printed Name/Title: ANTHONY GREGG PIFER PRESIDENT
Dated: SEPTEMBER 20 2011

Florida Construction Industries Licensing Board of Certification
ANTHONY GREGG PIFER GCG040037
(Printed Name of Holder) (Certification Number)

FLAGLER AVENUE
 SEAWALL, BOARDWALK, PARKING AREA
 AND RESTROOM IMPROVEMENTS

REVISED PER ADDENDUM #2
 REVISED SECTION 00300-3
 BID PROPOSAL FORM

BID ITEMIZATION LIST (Submit as an integral part of the complete Bid Proposal Form)

The Bidder is to enter the costs proposed for each of the four areas of the Work of the Project, indexed by the Drawing Sheets as Prefix A, Prefix B, Prefix C and Prefix D separately below where indicated and in such manner as described for which, when totaled, shall equal the "Lump Sum Base Bid" entered above, knowingly subject to all terms, conditions and requirements of the Drawings and Project Manual/Specifications and any addenda as may be issued for this Project.

For Hex Bid Item #s refer to the associated "Hex Number Bid Listings" throughout the Drawing Sheets and the Specification Sections for detailed requirements. The Hex Number Bid Lists includes the A/E's estimated quantities with a 5% margin of error. The Bidder is to verify all quantities and scope of work prior to submitting a Bid and to notify the A/E should any gross under/over-estimation of quantities be realized. The following item descriptions have been generalized in content, but the numbers correlate with those on the Hex Number Bid Listings on the Drawings. Enter the total compensation amount to the Bidder for all labor, material and equipment to complete the Work in accordance with the requirements of the Contract Documents below.

PREFIX A WORK - SITE PARKING, DESIGN AND SITE ENGINEERING	
Lump Sum of	Dollars (\$ 114,000.00)

PREFIX B WORK - SEAWALL AND BRICK DECK AREA REPAIR WORK		Item Cost
Hex #	Brief work item description	
B1	Demolition of existing sidewalk/curb & new CIP H/C ramp, etc. REMOVED	XXXXXXXXXXXXXX
B2	Demolition of existing and replacement of new seawall cap, etc.	28,358.00
B3	Zone One dead men installation	35,040.00
B4	Zone Two dead men installation	12,200.00
B5	Seawall and misc. wall surface ultra high pressure water blasting	3,800.00
B6	Replace affected vegetation/repair adjacent structure due to #5	27,000.00
B7	100% Demolition of wood fencing/posts/bench	3,800.00
B8	Pressure wash clean 100% brick areas for removal/reinstallation	853.00
B9	Brick paver removal/reinstallation in area of deck/wall repairs	8,615.00
B10	Area 1 deck repairs (100% per Hex number bid listing)	9,250.00
B11	Area 2 deck repairs (100% per Hex number bid listing)	300.00
B12	Area 3 deck repairs (100% per Hex number bid listing)	2,250.00
B13	Areas 1 and 2 only - Crushed concrete sub-base installation	2,800.00
B14	Concrete wall patching as described on Hex number bid listing	4,100.00
B15	Skim coating of beach side wall areas	18,400.00
B16	Damp proofing, wall cleaning/patching and silt screening	3,000.00
B17	Re-grade sand to wall and H/C ramp and planting of sea oats	10,400.00
B18	Furnish/install cable guard railing system/handrails on new cap	72,000.00
B18a	Furnish/install lighting into 2 x 2 posts REMOVED	XXXXXXXXXXXXXX
B19	Furnish/install cable guard railing system/handrails at steps	18,130.00
B20	Provide clear coat concrete sealer to new concrete surfaces	3,300.00
B21	Install wood bench, as described	700.00
B22	Remove/replace/reinstall electrical items as described	6,365.00
B23	Remove/replace concrete curb and install shell sub-base as req.	1,420.00
B24	Remove/cap sprinkler lines subject to deck demolition	400.00
B25	Relocate survey marker	300.00
B26	Demolition and re-profiling of existing CIP concrete steps	8,000.00
B27	General brick paving repairs and cleaning, and the general conditions costs and OH&P, insurance, misc. fees/permit expense, rentals, barricades, etc. and any and all other items not specifically listed.	42,390.00
Lump Sum of		Dollars (\$ 323,171.00)

FLAGLER AVENUE
 SEAWALL, BOARDWALK, PARKING AREA
 AND RESTROOM IMPROVEMENTS

REVISED PER ADDENDUM #2,
 REVISED SECTION 00300-4
 BID PROPOSAL FORM

PREFIX C WORK – PAVILION REPAIR AND MODIFICATIONS

Hex #	Brief work item description	Item Cost
C1	Demolition – Removal of existing items not required for modified structure	4,700.00
C2	New framing, roof deck underlayment, wood repairs/blocking for modifications	18,900.00
C3	Sandblasting 100% and paint priming of exposed to view elements	3,900.00
C4	New roof installation (underlayment, flashing, tile, caulking, mesh screen vents)	28,475.00
C5	Wood patching and painting all exposed to view wood/metal surfaces	13,900.00
C6	Bird deterrent system - 100% installation	3,100.00
C7	New Electrical Power and Lighting, 100% installation, except as per Addendum #2: REMOVE SURFACE MOUNTED CAN LIGHT FIXTURES AND ASSOCIATED ABOVE GRADE CONDUIT WORK.	5,000.00
C8	Brick paver clean/repair/replace; all project fees; rentals; misc. exp. & OH&P	28,470.00
Lump Sum of		Dollars (\$ 106,445.00)

PREFIX D WORK – NEW REST ROOM BUILDING (Including Overhead and Profit)	
Lump Sum (includes Overhead & Profit)	Dollars (\$ 345,829.00)

LUMP SUM BASE BID TOTAL: \$ 889,445.00

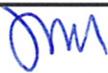
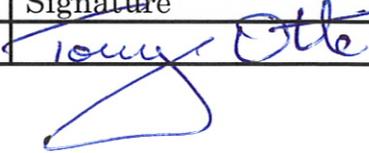
FOR ALTERNATE NO. 1: Add / Deduct \$ 4,350.00

FOR ALTERNATE NO. 2: Add / Deduct \$ 5,700.00

TOTAL BASE BID PLUS ALTERNATES: \$ 899,495.00

END OF REVISED SECTION 00300

CRA AGENDA ITEM SUMMARY

Staff Member Making Request:	Michelle Martin 
Meeting Date:	<u>October 5, 2011</u>
Action Item Title:	Esther St Seawall Project – Bid Award
Agenda Section:	Consent <u> X </u> Public Hearing <u> </u> Special Items <u> </u>
Summary Explanation and Background:	
<p>On September 22, 2011 staff conducted a bid opening for the Esther St Seawall Project and a total of eight (8) bids were received. S.E. Cline was the apparent lowest responsive bidder at \$248,325 which was well below the projected construction cost estimate. Staff reviewed the bid and scope of work with S.E. Cline’s Vice President and was assured that their bid was reflective of the work needed to complete the project and fulfill the contract documents. Therefore, staff endorses S.E. Cline for this project and recommends awarding the contract to them in the amount of \$248,325.</p>	
Recommended Action/Motion:	
<p>Recommend approval for S.E. Cline to be awarded the contract to construct the Esther St Seawall Project, for an amount of \$248,325.</p>	
Funding Analysis: Budgeted <u> X </u> If not budgeted, recommended funding account: Account # 51502-567758	
Exhibits Attached:	
Attachments: Bid Tabulations Sheet, Bids Review, and S.E. Cline’s Bid	
Reviewed By:	Name
Department Director:	Tony Otte
Signature	
	
Commission Action:	

ESTHER ST SEAWALL PROJECT
Review of Bids

Line Item Description	Santa Cruz	Gregori	C&D	Saboungi	SE Cline	C&L Landscaping	Marine Contracting	Construct Co
1 Mobilization	\$12,500.00	\$20,000.00	\$77,689.00	\$34,755.00	\$15,627.00	\$41,490.00	\$20,000.00	\$0.00
2 MOT	\$7,000.00	\$2,000.00	\$10,000.00	\$7,140.00	\$2,940.00	\$4,500.00	\$7,500.00	\$37,295.00
3 Erosion Control	\$8,500.00	\$1,200.00	\$10,000.00	\$2,074.00	\$823.00	\$4,750.00	\$10,000.00	\$5,000.00
4 Demo/Clearing & Grubbing	\$36,000.00	\$13,000.00	\$60,000.00	\$15,225.00	\$5,722.00	\$9,200.00	\$32,000.00	\$30,000.00
5 Seawall Panels	\$300,000.00	\$345,000.00	\$250,000.00	\$315,004.00	\$183,978.00	\$240,000.00	\$287,500.00	\$262,415.00
6 Seawall Cap	\$67,000.00	\$20,000.00	\$30,000.00	\$10,353.00	\$21,294.00	\$45,000.00	\$22,500.00	\$37,000.00
7 Sand Berm/Fencing/Landscaping	\$10,500.00	\$12,000.00	\$15,000.00	\$13,923.00	\$12,895.00	\$65,360.00	\$26,000.00	\$7,000.00
8 Site Restoration & Demobilization	\$5,500.00	\$1,214.00	\$5,000.00	\$1,050.00	\$5,105.00	\$5,600.00	\$4,000.00	\$0.00
Total Bid Amount	\$447,000.00	\$414,414.00	\$457,689.00	\$399,524.00	\$248,325.00	\$414,900.00	\$409,500.00	\$379,350.00
Attended Mandatory Pre-Bid Mig	✓	✓	✓	✓	✓	✓	✓	✓
Attached Addendum # 1 with Proposal?	✓	✓	✓	✓	✓	✓	✓	NO
Used the Revised Bid Tab for their Proposal?	NO	✓	✓	✓	✓	NO	✓	✓
Attached a Bid Bond for 10%?	✓	✓	✓	✓	✓	✓	✓	✓
Responsive Bidder?	NO	✓	✓	✓	✓	NO	✓	NO

REVISED BID PROPOSAL

ESTHER STREET PARK SEAWALL PROJECT, City Project No. 567758-1108

CITY OF NEW SMYRNA BEACH, FLORIDA

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

September 22, 2011

Dear Ms. Brangaccio:

Pursuant to and in compliance with your ADVERTISEMENT FOR BID dated 08/27/11 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 **ESTHER STREET PARK SEAWALL PROJECT, City Project No. 567758-1108**, 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.

Esther Street Park Seawall Project
City Project No. 567758-1108

Item #	Description	QTY	Unit	Unit Price	Amount
	GENERAL PROJECT:				
1	MOBILIZATION	1	LS	\$ 15,627.00	\$ 15,627.00
2	MAINTENANCE OF TRAFFIC DEVICES, ORANGE CONSTRUCTION FENCING, ETC, AS NECESSARY AND AS PER THE LATEST FDOT SPECS AND INDEXES)	1	LS	\$ 2,940.00	\$ 2,940.00
3	EROSION CONTROL (INCLUDING STORMWATER POLLUTION PREVENTION PLAN, SITE SILT FENCING, SYTHETIC HAY BALES, ETC)	1	LS	\$ 823.00	\$ 823.00
4	DEMOLITION, CLEARING & GRUBBING (INCLUDING REMOVAL OF EX SEAWALL, MISC CONCRETE & ASPHALT, STORMWATER PIPE & STRUCTURES, SANITARY SEWER PIPE & STRUCTURES, WATER PIPE, BOULDERS, FENCING, TREES & VEGETATION, MISC DEBRIS, ETC)	1	LS	\$ 5,722.00	\$ 5,722.00
	GENERAL PROJECT TOTAL				\$ 25,122.00

	SEAWALL:				
5	WALL PANELS (INCLUDING GROUT PLUG, FILTER FABRIC, STONE, ETC)	1	LS	\$183,978.00	\$183,978.00
6	CAP (INCLUDING STEEL, MISC HARDWARE, ETC)	1	LS	\$ 21,294.00	\$ 21,294.00
7	SAND BERM, FENCING, & LANDSCAPING (INCLUDING IRRIGATION UNTIL PLANTS ARE ESTABLISHED)	1	LS	\$ 12,835.00	\$ 12,835.00
	SEAWALL TOTAL				\$218,107.00
8	SITE RESTORATION & DEMOBILIZATION	1	LS	\$ 5,106.00	\$ 5,106.00

GRAND TOTAL - \$ 248,325.00

TOTAL BID:

Two Hundred Forty-eight Thousand Three Hundred Twenty-five and 00/100 Dollars

(Use Words)

\$ 248,325.00

(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 **120** 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 Bid Bond 10% of total bid amount.

The undersigned hereby designates S.E. Cline Construction, Inc.

18 Utility Drive, Palm Coast, FL 32137
(Type or print business name and address)

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

DATED: 22 September 2011

C.M. Cameron, Jr., Vice President

Name of Bidder and Title (Type or Print)

BY:

C.M. Cameron, Jr. V.P.
Signature of Bidder

S.E. Cline Construction, Inc.

18 Utility Drive

Palm Coast, FL 32137

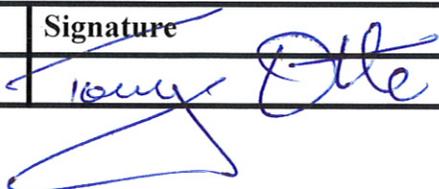
Corporation Name & Address

(SEAL, if by a Corporation)



NEW BUSINESS

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Claudia Soulie		
Meeting Date: October 5, 2011		
Action Item Title: Funding Request – Holiday Food and Wine Festival 2011		
Agenda Section: Consent _____ Public Hearing _____ Special Items <u> x </u>		
Summary Explanation and Background		
<p>Staff was approached by Pamela Simmons with Norwood's about possible funding assistance for an event called Holiday Food and Wine Festival 2011. Ms. Simmons stated that this year marks the 16th Annual Event showcasing new wines, various food selections from around the world and featuring area purveyors and restaurants. The event has expanded each year and the organizers' goal is to increase event attendance by 10% and they are planning to achieve this by an increase in advertising with potential CRA grant funding. The total project cost is estimated at \$55,950 with \$6,000 being proposed for advertising.</p> <p>At their September 13, 2011 meeting the City Commission approved staff's recommendation to amend the Grants and Aids Guidelines to include, among others, the following verbiage:</p> <p><i>"After receiving funding the first time, future funding requests must be applied for as an annual application as outlined in the Grants and Aids program."</i></p> <p>Furthermore, staff will be requiring Grants and Aids recipients to include the NSB Waterfront Loop logo in all of their advertisings; to prominently display NSB Waterfront Loop signage at their event(s) as well as other requirements that will assist in branding the loop.</p>		
Recommended Action/Motion:		
Staff recommends approval of the request of \$6,000 (27.84% of the advertising budget of \$21,550).		
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:		
Account number 120.51502.548001 – Promotional Expense, which currently has a balance of \$280,064.72.		
Exhibits Attached:		
1. Package submitted by the applicant		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

**Community Redevelopment Agency
Grants and Aids**

Application

Date Submitted 9-22-2011 Date Approved _____

Name of Business or Organization Norwood's Inc.

Address 400 3RD Avenue

City and Zip Code New Smyrna Beach, FL 32169

Contact Person/Title Don Simmons, Owner Phone 386-689-1966
Jack Holcomb Phone 386-427-1313

Projected Budget \$55,950 Amount Requested \$6,000

Estimated Project Start Date 12-2-2011 Estimated Project End Date 12-5-2011

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: _____



Please complete all the following questions in the space provided. Attach additional sheets if you need more room.

1. Explain the extent to which the project has publicity potential and identify the markets---local, regional, state, national specific---that will be targeted.

Based on the events previous positive reputation, our plan focuses on expansion of guests and a marked increase in hotel/motel accommodations. Because the majority of our guests (approximately 85%) are residents of Central Florida, that is the focus area of our Marketing Plan. We plan on advertising in Volusia, Brevard, Orange, Seminole, St. Johns and Duval counties. Our avenues of advertising include Local television, Local newspapers, Banners, Posters, Signage (including billboards), area radio stations and advertising on local radio/tv websites as well as social media sites.

2. Identify how the activity will enhance the economic vitality of the CRA district.

Serving as a Gateway to the South Causeway, Norwoods will involve some of our area's finest craftsmen and artists from Central Florida. Guests will be introduced to many local businesses through their involvement throughout the festival. From restaurants to local vendors this event promotes many of the finer merchants from Southeast Volusia County. This will also be an opportune time to showcase New Smyrna's exciting new promotion, The Loop.

3. Explain the total project cost and how funding from the CRA will be utilized. Indicate what percentage of the project the CRA funds represent.

In summary, the total projected budget is \$55,950 (see attached). Funding from the CRA will be used to increase the marketing. The amount requested from the CRA accounts for 10% of the total budget.

4. What other funding sources have been identified, requested, or obtained?

The following funding sources have been requested and approved:

Band Sponsor	J-Tech (Local Firm)
Various Food Docations	Sysco (Local Food Purveyor)
Glassware (with advertising)	New Smyrna Beach Chevy Jeep Dodge

5. Provide a brief summary of the history of the organization and event CRA funds are being requested for. Include number of years of operation, number of years the event or program has taken place, the goals of the event and previous outcomes.

This year will be the 16th Annual event showcasing new wines, various food selections from around the world and featuring area purveyors and restaurants, crafters, artists, spas, hotels, bed and breakfasts, condominiums, auto dealers and many more businesses. As owner of Norwood's for the past 31 years, I have overseen the Holiday Food and Wine Festival for 15 successful years. In addition to the in house operations, we cater approximately 15 events a year off site serving 100 to 2,000 guests. Our goal this year is to see an increase in attendance of 10%. This goal is based on several factors, primarily being a marked increase in advertising.

6. If this is a new program/event, please explain the long-term goals and desired outcomes. If up-front funding is requested, please provide evidence of hardship and reason why reimbursement of qualified expenses is not possible.

Not applicable

Estimated Budget

Holiday Food and Wine Festival 2011

ITEM	COST
Tents	6,000
Tables/Chairs	4,000
Entertainment	1,800
Dishware/Glassware	3,000
Marketing*See attached	21,550
Permits/Electrical/Heater Rentals	2,000
Food	15,000
Valet	600
Event Insurance	1,000
Linens	1,000
TOTAL	55,950

Marketing Budget	
Brighthouse TV	5,000
Daytona News Journal	3,000
Pennysaver	2,000
Observer	1,000
Banners	450
Posters	400
Signs (including Billboards)	2,200
Radio	7,500
TOTAL	21,550

Holiday Wine Festival

Officers and Directors

Donald Simmons, President

450 South Timberlane
New Smyrna Beach, FL 32168
386-428-4621 386-689-1966

Jack Holcomb

1300 North Dixie Freeway
New Smyrna Beach, FL 32168
386-427-1313

Tim Ryan

Sysco Foods
1410 East International Speedway
Blvd.
Deland, FL
386) 738-7303

George Walker

3620 S Atlantic Avenue
New Smyrna Beach, FL 32169
386-424-1909

Gary Oerther

5821 South Atlantic Avenue
New Smyrna Beach, FL 32169
386-426-8429

Bob Nunn

4731 North Dixie Freeway
Titusville, FL
321-258-8124

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Claudia Soulie

Meeting Date: October 5, 2011

Action Item Title: Funding Request – Event Insurance for Merchants of Flagler, Inc.

Agenda Section: Consent _____ Public Hearing _____ Special Items x

Summary Explanation and Background

Staff was approached by Adele Aletti, President of the Merchants of Flagler, Inc. about CRA reimbursement for their event insurance in the amount of \$3,722.94. This insurance covers events from September 2011 through September 2012. Event Insurance is an eligible expense through the Grants and Aids program and as such, staff recommends approval.

Staff has informed Ms. Aletti that she needed to go through the Grants and Aids application process for any future event insurance reimbursement requests.

Recommended Action/Motion:

Staff recommends approval of the reimbursement request for event insurance in the amount of \$3,722.94.

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

Account number 120.51502.5483006 – Grants and Aids

Exhibits Attached:

1. Package submitted by the applicant

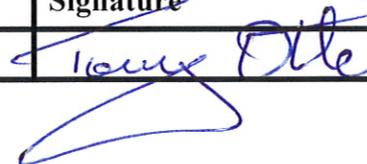
Reviewed By:

Name

Signature

CRA Director

Tony Otte



Commission Action



Hull & Company, Inc.

Your copy

DATE: 08/12/2011
TO: Denise Smith
Lane-Lennon Commercial Insurance LLC
838 E New York Ave
Deland, FL 32724
Agency Fax: (386)738-3221

Agency Code: 97746

*Coverage
Sept 2011 - Sept 2012*

RE: Merchants of Flagler Avenue, Inc.
Policy #: NN065372

Renewal Date: 09/22/11

QUOTATION

Quotation Premium

Quote Eff Date: 08/12/2011 Quote Exp Date: 09/22/2011 12:01 AM

Excluding TRIA		Including TRIA	
Premium:	\$3,339.00	Premium:	\$3,339.00
Policy Fee	\$35.00	Policy Fee	\$35.00
FL SL Tax(5%)	\$168.70	TRIA:	\$125.00
Stamping Fee(0.1%)	\$3.37	FL SL Tax(5%)	\$174.95
FHCF Assessment(1.3%)	\$43.86	Stamping Fee(0.1%)	\$3.50
Total:	\$3,589.93	FHCF Assessment(1.3%)	\$45.49
		Total:	\$3,722.94

Minimum Earned Percent: 25.00 % Minimum Earned Premium: \$ 834.75

Carrier(s):

Nautilus Insurance Company
Non-Admitted

Hull & Company, Inc. is responsible for collecting and filing the Surplus Lines taxes.

Locations:

314 Flagler Avenue, New Smyrna Beach, FL, 32168

Commercial General Liability

Risk #:

Coverage: General Liability

Limits:

General Aggregate: \$2,000,000

2011

<u>EVENTS</u>	<u>DATE</u>	<u>Street Closure</u>
Art Walk 10am ~ 5pm / Wine Walk 1pm ~ 6pm "Surf's Up" Art featuring surfboards painted by local artist, Music & Progressive Wine Tasting	Aug. 27, Saturday	
Grill Masters Classic 5pm ~ 9pm Celebrating the grill, you name it, were grilling it	Sept. 15, Thursday	
Wine Walk 1pm ~ 6pm Progressive Wine tasting alone Flagler Ave	Sept. 17, Saturday	
Art Walk 10am ~ 5pm Unique Jazz Art Exhibits with world class Jazz musician	Sept. 24, Saturday	
Jazz Fest 11 th Annual Enjoy an all Jazz weekend along Historical Flagler Ave.	Sept. 23, thru 25	
Chili & Chaps & Craft Beer Walk 12pm ~ 5pm Beat on the Beach Chili cook off and entertainment	Oct. 15, Saturday	
Art Walk 10am ~ 5pm / Wine Walk 1pm ~ 6pm Fine Art Exhibits, Music & Progressive Wine Tasting	Oct. 22, Saturday	
New Smyrna-Ween Creepy Crawl 8pm ~ 2am Biggest creepy bash in town with drink specials & costume contest with prizes	Oct. 31, Monday	
Flamingo Follies 21 st Annual 9am ~ 5pm Music & holiday art shopping, as over 100 artisans & crafters from around the state show and sell their wares	Nov. 12 ~ 13 Saturday./ Sunday	
Fall Sidewalk Sale 9am ~ 5pm Merchants will be featuring super sales in front of the shops	Nov. 19, Saturday	
Art Walk 10am ~ 5pm / Wine Walk 1pm ~ 6pm Fine Art Exhibits, Music & Progressive Wine Tasting	Nov. 26, Saturday	
Light up Flagler 5:30pm ~ 7:30 pm Lighting up festivity of Flagler Ave and Holiday Open House	Dec. 2, Friday	
Christmas Parade 4pm Bring the family for a day on Flagler Ave and see Santa	Dec. 3, Saturday	
Santa Run & Toy Drive 6pm Santa Run/walk charity event toy drive for "Toys for Tots" Dress in holiday gear and join the fun	Dec. 10, Saturday	Rolling
Art Walk 10am ~ 5pm / Wine Walk 1pm ~ 6pm Special Christmas Celebration, holiday art and wine	Dec. 17, Saturday	
New Year's Eve Party 5pm ~ 2am Ring in the New Year with a Flagler Ave celebration	Dec. 31, Saturday	

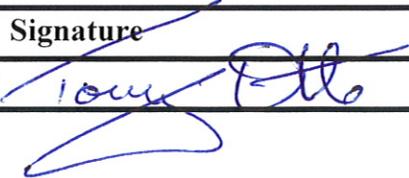
For changes or additions to this list, contact Gary @ Seahorse Inn (386) 428-8081

**EVENT DATES AND TIMES ARE SUBJECT TO CHANGE WITHOUT NOTICE
PLEASE CHECK IN ADVANCE IF YOU ARE ATTENDING AN EVENT.**

2012 Events

<u>EVENTS</u>	<u>TIMES</u>	<u>DATE</u>	<u>Street Closure</u>
Art Walk 10am ~ 5pm / Wine Walk Fine Art Exhibits, Music & Progressive Wine Tasting	1pm ~ 7pm	Jan. 28, Saturday	
Hawaiian Open & Luau 3rd Annual Miniature golf with Hawaiian theme & luau, wear your Hawaiian shirt & Lei	5pm ~ 9pm	Jan. 19, Thursday	
Art Walk 10am ~ 5pm / Wine Walk Fine Art Exhibits, Music & Progressive Wine Tasting	1pm ~ 7pm	Feb. 25, Saturday	
Mardi Gras Parade 5th Annual Come for the Fat Tuesday Parade and then stay and enjoy the live music and food.	Parade starts at 7pm	Feb 21, Tuesday	
Shamrock & Roll / St. Patrick's Day Pot O'Gold Treasure Hunt up and down Flagler Ave with food, live entertainment, dancing and prizes	5pm ~ 9pm	March 17, Saturday	
Spring Sidewalk Sale Stroll up and down Flagler Ave for some great spring sales	9am ~ 5pm	March 17, Saturday	
Art Walk 10am ~ 5pm / Wine Walk Fine Art Exhibits, Music & Progressive Wine Tasting	1pm ~ 7pm	March 24, Saturday	
New Smyrna Beach Food Festival 4th Annual Join us for an evening of live entertainment and sampling the best from Volusia county restaurants	5pm ~ 9pm	April 19, Thursday	
Art Walk 10am ~ 5pm / Wine Walk Fine Art Exhibits, Music & Progressive Wine Tasting	1pm ~ 7pm	April 28, Saturday	
Cinco de Mayo Celebration 5th Annual Celebration of Mexican Culture with food, live entertainment, and dancing	4pm ~ 10pm	May 5, Saturday	
Art Walk 10am ~ 5pm / Wine Walk Culinary Art Presentation, Music & Progressive Wine Tasting	1pm ~ 7pm	May 26, Saturday	
SeaSide Fiesta 24th Annual Free admission, live entertainment, food, games, art and crafters	5pm ~ 9pm	June 21, Thursday	
Art Walk 10am ~ 5pm / Wine Walk Fine Art Exhibits, Music & Progressive Wine Tasting	1pm ~ 7pm	June 23, Saturday	
Flagler Avenue Open / Putt & Stroll 3rd Annual Play Putt-Putt golf up and down Flagler Ave for food & drink specials	5pm ~ 9pm	July 19, Thursday	
Art Walk 10am ~ 5pm / Wine Walk Christmas in July Art Exhibits, Music & Progressive Wine Tasting	1pm ~ 7pm	July 28, Saturday	
NSB Shrimp & Seafood Festival 5th Annual Seafood Festival immerses marine-eating enthusiasts in a bevy of culinary selections. The festival creates a tidal wave of taste with seafood favorites from the best of Volusia county restaurants	5pm ~ 9pm	Aug. 16, Thursday	

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Claudia Soulie		
Meeting Date: October 5, 2011		
Action Item Title: Funding Request – The Mayor’s SUP CUP (SUP = Stand Up Paddleboarding)		
Agenda Section: Consent _____ Public Hearing _____ Special Items <u> x </u>		
Summary Explanation and Background		
<p>Staff was approached by Erik Lumbert, co-owner of Paddleboard New Smyrna Beach, about possible funding assistance for an event called The Mayor’s SUP CUP to be held on November 19th and 20th, 2011. The staging/launching area is proposed to be at 160 N. Causeway. Mr. Lumbert stated that this event will be the first ever World Sanctioned SUP CUP race held in New Smyrna Beach and that the organizers’ intention is to mark NSB as the SUP Capital of the East Coast.</p> <p>Mr. Lumbert continued that as a young business in town, they are committing extensive time and money to this event and that they understand the importance of community involvement. Mr. Lumbert stated that his organization needs the support of the CRA to give this event the regional and national attention that it deserves.</p> <p>The total project cost is estimated at \$12,373 with \$5,377 being proposed for print advertising, banners, event insurance and Race Jerseys. The applicant has agreed to include the NSB Waterfront Loop logo on their race jerseys, Causeway and horizontal banners as well as their Newspaper ads.</p> <p>The applicant is aware that at their September 13, 2011 meeting the City Commission approved staff’s recommendation to amend the Grants and Aids Guidelines to include, among others, the following verbiage:</p> <p><i>“After receiving funding the first time, future funding requests must be applied for as an annual application as outlined in the Grants and Aids program.”</i></p>		
Recommended Action/Motion:		
Staff recommends approval of the request of \$5,377 (43% of the overall budget).		
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:		
Account number 120.51502.548001 – Promotional Expense, which currently has a balance of \$280,064.72.		
Exhibits Attached:		
1. Package submitted by the applicant		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

Paddleboard NEW SMYRNA

Thank you for considering our event for funding support. We are incredibly excited to share our passion for Stand Up Paddleboarding (SUP) with the entire City of New Smyrna Beach. Paddleboard New Smyrna Beach is proud to present The Mayor's SUP CUP. This event is a collaboration between Paddleboard New Smyrna Beach and Mayor Adam Barringer. The Mayor's SUP CUP will be the first ever World Sanctioned SUP race held in New Smyrna Beach. Stand Up Paddleboarding is the fastest growing sport on the planet right now. Our community provides the perfect platform to enjoy all facets of this incredible sport from flat water racing, to SUP surfing, to casual cruising.

With this event, it is our intention to mark NSB as the SUP Capital of the East Coast. We are especially pleased to hold this event within the CRA district. The NSB Waterfront Loop is ideally suited to offer a challenging Elite Course and a fun Recreational Race Course. The lap style course will also promote spectator attendance at several points along the Loop.

We are requesting CRA funding for our event insurance, permits, and marketing costs. Our marketing will be a combination of offsite/onsite signage, website banners, industry blogs/forums, print advertising, and garments worn by the racers. We are happy to brand the NSB Waterfront Loop logo on the race jerseys, causeway Banners and horizontal event Banners.

As a young business in town, we are committing extensive time and money to this event. We not only understand the importance of community involvement, but are hoping our actions and initiatives demonstrate that as well. We need the support of the CRA to give this event the regional and national attention it deserves.

Best regards,



Erik Lambert
Co-owner
Paddleboard New Smyrna Beach

Community Redevelopment Agency Grants and Aids

Application

Please submit this application by June 1st annually.

Date Submitted 09/27/11 Date Approved _____
Name of Business or Organization Paddleboard New Smyrna Beach
Address 1901 Saxon Dr
City and Zip Code New Smyrna Beh, FL 32169
Contact Person/Title Erik Lambert/Man Phone 386-931-3868
Projected Budget \$18,373 Amount Requested \$ 5,676
Estimated Project Start Date 11/19/11 Estimated Project End Date 11/20/11
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: _____



The Mayor's SUP CUP - Estimated Expenses

	Expense
Permits/fees/insurance	
Insurance Event	\$286
NSB Addl Insured	\$125
Event Banners (2) 3'x8' with stakes	\$260
Event Feather Banners (4) 12' Vertical	\$1,626
Vertical Banners (Each Causeway install park/rec) 4'x8'	\$400
Print Display Ads (News Journal/Hometown News)	\$880
Race Jerseys (100@\$18)	\$1,800
CRA Requested Assistance	\$5,377
Additional Expenses	
Special Event Vendor Fee	\$149
Waterway Use Permit *Estimate	\$150
Megaphone	\$85
55 Gallon Trash Receptables (2)	\$217
Porta Potty	\$148
Event Trophies	\$380
Cash Purse	\$5,000
Active.com Reg Site	\$398
SUP Surf Judges Lodging/One Meal Voucher	\$469
Total	\$12,373

Paddleboard

NEW SMYRNA

1. Explain the extent to which the project has publicity potential and identify the markets--- local, regional, state, national specifics---that will be targeted.

The explosion of SUP has been partially attributed to the internet attention it has received. Social media, blogs, and web forums have enabled this new sport to experience the growth seen in other sports in a fraction of the time. Thus, this same media will be used to promote our event along with local print advertising, onsite/offsite signage, and national website displays.

We are expecting strong pre/post event publicity from local and regional media due to the diversity we are promoting and the common element of fun, fitness, and our incredible outdoor platform. Media will gravitate to this event where participants will range from Elite racers ranked on a national scale to the average joe who is out just to have fun. The sport offers something for young and old of all shapes and sizes. We will remain consistent in our appeal that NSB is the SUP Capital of the East Coast. No other community can offer miles of ICW prime for racing, countless beach breaks ideal for SUP Surfing, and a maze of Mangrove Estuaries perfect for casual paddling and exploration.

2. Identify how the activity will enhance the economic vitality of the CRA district.

We are expecting 100 racers in the Elite and Recreational Races and 30-40 SUP Surfers. Contrary to other SUP events across the nation, our race course is primed for spectators as well. We are hoping for at least another 100 spectators cheering for the racers at the finish line and area parks along the race course. Past race directors have focused marketing to the industry, but we are adding an element of community.

Between the intensity of the Elite racers and the smiles of the Recreational racers, SUP events like this produce a buzz among participants and spectators alike. We are going past feet on the street and want energy in the air! The economic vitality will be achieved by introducing 200 plus people not only to New Smyrna Beach, but also to our NSB Waterfront Loop. This exposure will show visitors just one more element of this beautiful section of New Smyrna Beach. Further we will promote the NSB Waterfront Loop by adding the logo to our race jerseys, Causeway Vertical Banners, and Onsite Horizontal Banners



3. Explain the total project cost and how funding from the CRA will be utilized. Indicate what percentage of the project the CRA funds represent.

Our budget shows total expenses of \$12,373 with an estimated income of \$4,800 from race entry fees. We are requesting \$5,676 from the CRA to assist with insurance, permits, advertising and marketing. This request is 45% of our total budgeted expenses.

4. What other funding sources have been identified, requested, or obtained?

We are collecting race entry fees (\$60 Elite Race, \$40 Recreational Race, \$40 SUP Surf Contest) and actively working to secure corporate sponsors to assist with generating the cash purse (see attached). Our first large corporate sponsor YOLO Boards has donated a Carbon SUP Race board and a SUP Coastal Cruiser that we are raffling to raise additional funds. We are also seeking assistance from Southeast Volusia Advertising Authority, but have not made contact as of this application.

5. Provide a brief summary of the history of the organization and the event CRA funds are being requested for. Include number of years of operation, number of years the event of program has taken place, the goals of the event and the previous outcomes.

Our company, Paddleboard New Smyrna Beach, was born as a joint venture between Erik Lumbert and partners Ned Johnson and David Rose of Paddleboard Orlando. Ned and David have taught over 5000 people to SUP in the last eighteen months on the lakes and waterways of Orlando. Paddleboard New Smyrna Beach has introduced over 100 people to our waters via Stand Up Paddleboard after just 8 weeks in business. A smaller non-sanctioned race was held at Lake Ivanhoe, Orlando earlier this year. The event brought in over 80 racers from across Florida and the Caribbean without the World Paddle Association Sanctioning or Cash Purses being offered at The Major's SUP CUP.

6. If this is a new program/event, please explain the long-term goals and desired outcomes. If up-front funding is requested, please provide evidence of hardship and reason why reimbursement of qualified expenses is not possible.

Our long term plans are to hold races semi-annually and further brand NSB as the SUP Capital of the East Coast. The Elite Races and SUP Surf contests represent the extremes of the sport. The highlight for Paddleboard New Smyrna Beach and the City of New Smyrna Beach is to provide and promote a healthy and fun way to explore our area waters.



PADDLEBOARD NEW SMYRNA

THE MAYOR'S SUP CUP

Nov 19th - 20th, 2011 New Smyrna Beach, FL
"The Stand Up Paddleboard Capital of the East Coast"

Stand Up Paddleboarding is the fastest growing sport in the country. The sport is being embraced by those seeking a fun lifestyle centered around health. In collaboration with Mayor Adam Barringer, Paddleboard New Smyrna Beach is pleased to bring the first World Sanctioned SUP Race Event to the City of Smyrna Beach.

This multiday event is expected to bring 150 racers in its first year. As an event sponsor you will be putting your brand/service in front of this audience and local resident spectators. SUP racers aren't your typical jocks... most are between 27-57 years old, have six figure household income, and spend an average of \$3100 on their race gear alone. The additional offering of a Recreational Race opens the event to the casual SUP'er that wants to just come out and have fun. As sponsors of our event we will promote you diligently. Come be a part of our team as we make history in New Smyrna Beach!



Elite Sponsor - \$1000

Exclusivity in Trade or Field - Large Company Logo On Event Banner - Recognition on any Web, Print, Radio and Social Media Promotions used - Recognition as "Elite" sponsor at pre- & post-event meetings - 10'x 10' tent space at event - Access to racer's swag bag for promotional material

(These are sponsorship opportunities to raise the cash purse)

Rec Sponsor - \$500

Medium Company Logo on Event Banner - Recognition at pre- & post event meetings - 10'x 10' tent space at event - Access to racer's swag bag for promotional material

Surf Sponsor - \$250

10'x 10' tent space at event - Access to racer's swag bag for promotional material

Product Sponsor - \$100 Worth Of Donated Product or Service

10'x 10' tent space at event - Access to racer's swag bag for promotional material

For more info... erik@paddleboardnsb.com or 386-931-3868



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Florida Limited Liability Company

PADDLEBOARD NEW SMYRNA BEACH, LLC

Filing Information

Document Number L11000085618
FEI/EIN Number NONE
Date Filed 07/25/2011
State FL
Status ACTIVE

Principal Address

1901 SAXON AVENUE
NEW SMYRNA BEACH FL 32169

Mailing Address

1901 SAXON AVENUE
NEW SMYRNA BEACH FL 32169

Registered Agent Name & Address

LUMBERT, ERIK R
1901 SAXON AVENUE
NEW SMYRNA BEACH FL 32169

Manager/Member Detail

Name & Address

Title MGR

ROSE, DAVID L
2265 LEE ROAD SUITE 205
WINTER PARK FL 32789

Title MGR

JOHNSON, EDWIN "NED"
2265 LEE ROAD SUITE 205
WINTER PARK FL 32789

Title MGR

LUMBERT, ERIK R
1901 SAXON AVENUE
NEW SMYRNA BEACH FL 32169

Annual Reports

No Annual Reports Filed

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ARTICLES OF ORGANIZATION
OF
PADDLEBOARD NEW SMYRNA BEACH, LLC

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TALLAHASSEE, FLORIDA

ARTICLE I - NAME

The name of the limited liability company is Paddleboard New Smyrna Beach, LLC, ("company").

ARTICLE II - ADDRESS

The mailing address and street address of the principal office of the Limited Liability Company is:

Principal Office Address:

1901 Saxon Avenue
New Smyrna Beach, Florida 32169

Mailing Address:

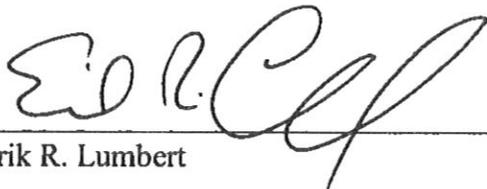
1901 Saxon Avenue
New Smyrna Beach, Florida 32169

ARTICLE III - REGISTERED AGENT,
REGISTERED OFFICE, & REGISTERED AGENT'S SIGNATURE

The name and the Florida street address of the registered agent are:

Erik R. Lumbert
1901 Saxon Avenue
New Smyrna Beach, Florida 32169

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 608, F.S..



Erik R. Lumbert

ARTICLE IV - MANAGERS OR MANAGING MEMBERS

The name and address of each Manager or Managing Member is as follows:

Title:

"MGR" = Manager

"MGMR" = Managing Member

Name and Address:

MGR

David L. Rose
2265 Lee Road Suite 205
Winter Park, Florida 32789

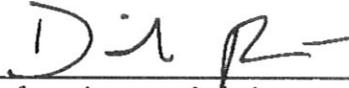
MGR

Edwin "Ned" Johnson
2265 Lee Road Suite 205
Winter Park, Florida 32789

MGR

Erik R. Lumbert
1901 Saxon Avenue
New Smyrna Beach, Florida 32169

REQUIRED SIGNATURE:



Signature of a member or an authorized representative of a member.

(In accordance with section 608.408(3), Florida Statutes, the execution of this document constitutes an affirmation under the penalties of perjury that the facts stated herein are true.)

David L. Rose

Typed or printed name of signee

CRA AGENDA ITEM SUMMARY

Staff Member Making Request Tony Otte		
Meeting Date: October 5, 2011		
Action Item Title: Request for Opportunity Site designation: 132 Canal St, "The Hub"		
Agenda Section: Consent_____ Public Hearing_____ Special Items__x__		
Summary Explanation and Background Sally MacKay has attended several CRA meetings recently to report on the project that is being developed for 132 Canal St, entitled "The Hub". Ms. MacKay is requesting that this site be designated as an "Opportunity Site" for the purpose of providing grant funds to subsidize building rent and utility costs. (Please see the attached e-mail.) The Opportunity Site Grant program allows flexibility in the funding of expenditures for "redevelopment"; however, this request is not for building improvements, which is the type of expenditure that is being requested for three sites previously designated as "Opportunity Sites". There are at least two questions to answered in this request: 1. Is this an Opportunity Site? 2. Are operating expenditures an eligible grant reimbursable cost? CRA staff requests discussion on these items before moving forward with a formal recommendation to the City Commission. If the CRA is inclined to respond positively to these two questions, CRA staff further requests that the matter be brought back to the November CRA meeting for a formal decision to enable staff to fully review the associated materials (which were provided just before packet publication).		
Recommended Action/Motion CRA staff requests discussion on this item.		
Funding Analysis: Budgeted__x__ If not budgeted, recommend funding account: Opportunity Site Grants are funded in line item 12051502 583003 of the CRA budget, Development Assistance and Incentives, with a balance (in the FY 12 draft budget) of \$1,154,533		
Exhibits Attached: 1. Email from Sally MacKay and the Business Plan for "The Hub"		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

Soulie, Claudia

From: Sally Mackay [sallymackay@cfl.rr.com]
Sent: Thursday, September 29, 2011 4:56 PM
To: Soulie, Claudia
Subject: Business plan for Hub on Canal pdf
Attachments: Bus plan complete sept 26 2011 pdf.pdf

Claudia,

I have attached our Business Plan. It has revenue and expenses assumptions for two years at full capacity and also at 2/3 capacity on the financial pages. We are in negotiation with Iron Creek Ventures to lease the buildings. Our initial offer was for \$5250 rent per month. They have countered at \$8,000 per month. We will be countering that offer this week.

In the Business Plan there is information about the Dance group, which has fifteen qualified teachers and intends to give 25-32 lessons per week 8-12 per class. The Hub will be running a minimum of 3 different classes/workshops per day, six days a week. Dr. Richard Tucker, prof emeritus from UCF, will be running a weekly lecture series for older people called Lifelong Learning, and UCF has indicated that they are interested in running other lectures and workshops. The Wine and Coffee Bar will be employing people, as will the movie theater. We have 24 independent artists who have committed to sub-leasing work-spaces/retail booths and have each given \$100 as a deposit for their booth. We have only one vacant space still available on the ground floor and three vacant spaces on the second floor. We have a list of artists who want to hang their work in the galleries.

We intend to hold twice monthly dances and live entertainment/open-mike nights/poetry readings etc during the evenings on the weekends.

If we are not successful in signing with Manzano's for the Wine and Coffee Bar, Sandy and Peter Philipson from Peter's Wine Bar in Port Orange are seriously interested.

The impact on the community is that we plan to be open from 10.00 a.m. until 9.00 p.m weekdays and 10.00 a.m. until 3.a.m. on Fridays and Saturdays, closing at 6.00 p.m on Sundays. Further impact will be that The Hub on Canal will help to increase daytime foot traffic on Canal Street, attract people to the Downtown during evening hours, increase the number of people looking to eat in the Downtown restaurants, offers programs, classes, and art related events that will bring people to Canal St and add to our residents' quality of life, and contribute to the Downtown Art District as being a destination for tourists, visitors and residents alike.

I hope this enough, Claudia...and that the Business Plan is not overkill. I will be happy to bring you hard copies of the Business Plan that you can include in the Board members' packages, together with copies for you and Tony.

Thanks for your assistance,

Sally

PROPOSAL FOR THE HUB ON CANAL

Submitted by:

Sally Mackay

428-5771 – sallymackay@cfl.rr.com

Susan Stern

428-5928 – sstern1@cfl.rr.com

Susan Ellis

690-6921 – susanellis@cfl.rr.com

Nancy Barclay

427 1158 – nancymbarclay@aol.com

This submission is a rough draft only.

The Hub on Canal Business Plan

The book, "The Best 100 Small Art Towns in America" includes New Smyrna Beach (NSB), which is quite an honor for a small beach town on Florida's east coast. To capitalize on this honor and support the many local area artists, a group of NSB citizens banded together to create a hub for art. The building selected to house The Hub on Canal is situated in NSB's historic downtown and fast-growing art district and on the main artery of Canal Street.

The Hub on Canal combines the best of artists' workshops and art galleries to provide artists with affordable studios in which to create, display and sell their work. The Hub will also lease out parts of its building to other creative groups for classes, exhibitions dances and to an experienced restaurateur for a coffee/wine bar. The Hub's common area provides the perfect venue for private parties, conferences, weddings and other celebrations.

By combining separate parts of The Hub on Canal for different functions, The Hub offers many ways to support, for example, an all-day business conference.

The Hub on Canal could provide small meeting rooms, large conference room, audio-visual equipment and wine/coffee service. All these activities on Canal Street would bring new foot traffic and increase local residents' support of Canal Street shops and restaurants.

Products and Services

The Hub is both service and retail. It will be actively engaged in the retail sales of artistic pieces including jewelry, fabric art, sculpture, pottery, paintings and other diverse works from a large roster of both established and emerging artists, and it will offer a wide variety of services to the community ranging from outreach art and dance classes for children in lower-income neighborhoods, to lectures for older citizens, together with classes, workshops and conferences.

2.1 Retail Sales of art: Twenty two small, self-contained booths are available for artists to sub-lease for a period of a year, singly, or in groups, according to the size at \$1.50 + sales tax per sq. ft. for year 1, increasing to \$2.50 + sales tax per sq. ft. in year 2. These artists are subject to selection by the Selection Committee.

Artists will commit to working a reasonable number of hours each week. This will give them the opportunity to talk about and demonstrate their creative process, increase interest in their art, and make sales. As they will be paying a monthly lease amount, 100% of the sale value goes to the artists.

Additional works that have been chosen by the Selection Committee will be displayed on suitable interior walls, and in both the galleries, at no charge. Any sales from these spaces will be subject to a 40/60 split.

The Hub has the option of leasing the Solo Gallery to a single artist or groups at \$200 per month, with no split on sales.

Because our galleries are situated on the retail main street of our Downtown, within sight of the City Marina and Indian River, City Hall, and Riverside Park, we will attract the interest of tourists and winter visitors as well as area residents. On-going classes, workshops, movie shows and live entertainment will ensure a constant stream of visitors passes through The Hub.

2.2 **Film Club:** This will be a function of The Hub on Canal and will be run by a sub committee whose members are chosen by the Executive Board. There will be no initial sub-leasing of the space. The Hub on Canal reserves the right to charge rent at whatever current rent exists from year 2 on. Off-beat, Indie, art-related and/or student movies will be shown at the weekends in a unique setting together with wine and coffee service to Film Club members. The open-air courtyard will give patrons a delightful place and atmosphere in which to socialize and discuss the movie they have seen. Co-operation and net-working with the Wine/Coffee bar will be essential.

2.3 **Affiliated businesses:** The Surfscapes Modern Dance Studios will exist as an independent business that leases space from The Hub on Canal. They will offer classes, master classes and community classes, Creative Movement, ballet, modern dance, Cardio Dance, jazz, African Dance, hip-hop, tap, salsa, stretch, yoga, and more, for students aged from 3 to 93, including varying special needs (wheelchair, Parkinson's, autism, blind). There are 15 professional dancers on the staff and the company has been in business since 2007. Approx 25-38 classes of 6-10 students will be offered each week, bringing a steady stream of people into The Hub on Canal whether they are participants or parents waiting for their children.

2.4 **In-house Food Service:** The Wine & Coffee Bar will be an arms-length business that operates through a sub-lease agreement with The Hub on Canal at \$1.50 + tax per sq ft for year 1, and \$2.50 + tax per sq ft for year 2. There will also be a charge for utilities. They will offer distinguished coffees, and excellent wines at good prices. All wines available by the glass, bottle or case. Various craft and foreign beers and coffee blends will also be offered. This wine and coffee service will enhance the gallery openings, movie nights, workshops and retreats, and be another reason for people to come into the building.

Business Opportunities

3.1 **Business Opportunities provided by the buildings and their location:** Although built originally in 1910, 132 Canal St. has a highly modernized, sophisticated and aesthetically pleasing interior. Designed by architect Kevin Schweitzer, its use of antique brick, metal, glass, high walls and shadows, makes it a perfect venue for an exciting art gallery. It contains spaces large enough for classrooms and small enough for affordable artists' booths. The main gallery, which has direct access to the wine and coffee bar, will be

available to rent for private parties, weddings, community events, and corporate occasions.

The N/W corner that will house the wine and coffee bar fronts on two major streets, has excellent exposure for strolling shoppers and tourists.

The Dance Studios will be housed in a separate but connected building, at 124 Canal St, as will the movie theater, at 120 Canal St.

There is a vacant building on Magnolia Street that runs E-W along the south boundary of the three properties that has a parking area attached.

General locale: The properties are situated in a cosmopolitan area, picturesque, one block from marina and riverfront, in heart of both the Historic and Art District. The property is an historic building itself, with architecture from 1910 era. It is near the Bed-and-Breakfast area, close to a potential hotel development site, and with easy access to wealthier neighborhoods and the ocean front.



3.2 Networking opportunities: Situated in the heart of both the Historic District and Art District, The Hub will both contribute to and benefit from The Canal Street Historic District (CSHD), the history museum, and existing artists organizations. The CSHD is a pro-active, business-savvy organization that focuses on promoting and supporting the business professionals and retail merchants located Downtown. There are opportunities for advertising and marketing promotions, events, street fairs, parades, discounts and partnerships. Similar networking and support will be given to the museum, the ACA, Arts on Douglas, various downtown galleries, the Artists' Workshop, and the monthly Gallery Walks.

As the success of The Hub on Canal is predicated on the success of all the artists and businesses operating on the property, these networking opportunities will be to the benefit of all.

3.3 Opportunities for The Hub on Canal to expand: There are two areas within the property that are currently being leased – 455 sq ft of 120 on a month-to-month agreement with an architect, and 952 sq ft of 124 on a fourteen month lease with a lawyer and second architect – that will allow for The Hub to expand over the next three years.

3.4 Opportunities for The Hub on Canal to Expand its Programs:

a) Ultimately a week long film festival, showing foreign films and student documentaries that can start as a weekend event at the end of the winter season. Extra space is available at Chamber of Commerce, Brannon Center and by leasing Beacon Theater.

b) A writers' conference during the winter months will attract writers from northern states; one well-known author as key-note speaker, writers and teachers to give classes on a variety of disciplines. Strong potential for success.

c) A Winter Lecture Series of 6 – 12 weeks duration with distinguished speakers with experience in the subject, catering to winter visitors who are interested in

d) Outreach art classes for lower-income areas. A school bus with seats removed and filled with dress-up clothes, musical instruments, clay, paints, paper & pencils, etc, plus a 10X10 tent, would be taken on Saturdays to different areas. This program will be free to the participating children, if funded by grants.

Strategic and Market Analysis

4.1 **Current economy:** Currently, the economy is in recession which many economists expect to continue until 2012.

The art industry provides predominantly to the upper middle and upper income groups, who, during economic down-turns, have the staying power to continue their hobbies and interests including art collecting. When the cost of foreign travel becomes excessive, vacations are typically taken in tourist towns such as NSB. The Hub will provide a friendly meeting place for residents and visitors alike, coffee and wine-bar service, multi-media art galleries, booths for working artists to work, display and sell, incubation space for art-related businesses, and varied classes with popular appeal including dance lessons and dances. We will organize lectures, workshops, retreats, book clubs, open-mike evenings and poetry readings, show independent movies and provide live entertainment at the weekend.

Our customer base consists of residents, weekend visitors and tourists. We are both service and retail.

4.2 **Supply Chain Management:** The Hub believes that in order to maintain a successful and expanding business operation clients must be able to place orders for art merchandise, buy tickets and reserve places in workshops via the Internet. A clear and constantly updated website is essential both as a selling and promotional tool.

4.3 **Expanding the list of Artists:** The Hub will initiate and participate in community events, street-shows and art walks. Our ever-expanding list of artists offers high-caliber artworks of every kind.

4.4 Industry Analysis:

Art sales: The direct sale of art in the U.S.A. is an \$8.0 billion a year industry that shows a profit of \$385.4 million (IBISWorld - Industry Market Research).

The predicted growth from 2010-2015 is 4.5% (to \$10 billion). As the economy improves, industry revenue will bounce back at 3.2% per year, and positive consumer sentiment will increase by 8.3% per year - lesser known & regional artists' prices stay relatively stable during economic fluctuations.

At 8.7%, Florida has the 3rd highest share of USA art-sales business and the State is a popular resort state for the wealthy. (IBISWorld)

Fine-Arts Teaching Programs: The revenue is \$4.5 billion (IBISWorld Industry Market Research) .

The annual growth for 2005-2010 was 2.9%, and the predicted growth rate for 2010-2015 is 4.9%. As lower government spending results in budget cuts & fewer donations, school programs will be under pressure. Other sources of arts education will be sought by parents of school-age students, and the demand for leisure-based training for adults is expected to show strong growth of 4.9% from 2010-2015 (IBISWorld) . Adults aged 60 plus years make up 8.0% of the market. The population aged 65 plus years, in the United States, is expected to double to 86.7 million by 2015. Over 50% of residents in NSB are retired.

Community-based non-profit organizations: As the population of Florida is expected to grow by 25% over the next 5 years, these organizations are forecast to increase 4.1% in 2010-2015 (IBISWorld).

Keys to success are having access to volunteer labor, local support and patronage, having the opportunity to offer education to the wider community, flexibility of courses and the hours they are available, maintaining a good reputation, and taking advantage of government subsidies and grants.

Programs such as English as a second-language, Spanish, reading programs, one-on-one mentoring, classes on nutrition, robotics & computer classes, brain gymnastics programs for the elderly, and outdoor summer art programs for children will be developed (grants are available).



4.5 Customer profile: More literary, well-educated people tend to enjoy the quiet, under-developed culture of NSB, lectures and workshops as a vacation experience and place to retire. Discretionary dollars for products like art and art-related courses and workshops tend to follow tourists, snowbirds, and 2-house buyers who weekend at coastal towns such as NSB.

NSB has a population of 23,000 (average age – 53.5) increasing to 40,000 during the winter season. 52% are retired and 60% have an income of over \$40,000. When surveyed on their quality of life, 39% said ongoing improvement was very important; art/cultural centers rated very important for 42.4% and important for 42.4% (Stetson ECHO Survey). The median house value in NSB is \$320,138. (City-Data.com & FI League of Cities)

Winter Park, Orlando, (our predominant weekend visitors) has a population of 30,838, average age 42; median house value of \$342,234(City-Data.com & FI League of Cities); Ormond Beach population of 38,000 median house value \$289,306 (City-Data.com & FI League of Cities). The customer needs easy accessibility to our building, walk-ability to shopping and restaurant areas, pleasant surroundings and good service. Tourists frequently ask for gifts & art unique to NSB. Visitors want to engage and participate. All our workshops, art work and sales items will be priced accordingly.

4.6 Competitive Analysis: The Hub on Canal intends to endorse New Smyrna Beach’s brand as one of ‘The Best 100 Small Art Towns in America.’ We will offer gallery space and sales opportunities to local artists at affordable rates in an environment of programmed classes and events that will attract customers and increase the artists’ exposure and sales. The Hub will offer support and network with the Atlantic Center for the Arts, Arts on Douglas, Artists Workshop, Harris House, the Clay Gallery, Artspace, other art groups and galleries and the Gallery Walks, and we will encourage participation in all events and galleries on a Mainstreet level.

The Hub on Canal has no desire or motivation to be competitive. The growth of the Art District and the economy of the Downtown area will only result from net-working and a team spirit.

Atlantic Center for the Arts (ACA): founded in 1982 as an art community and arts education facility where artists from all over USA live, work and collaborate for three-week sessions (four per year) with high-profile master artists.

Fees are \$850 per session. Artists are picked by jury. Competition is very high. Very high national reputation. Elitist.

Location is five miles north of the city in a remote and isolated jungle area; not conducive to community activities. Supportive and open to networking

Arts on Douglas: a commercial gallery, owned by ACA, founded in 1996 to promote Florida artists. Represents 57 artists. Split is 50/50. Location is in Arts District, adjacent to Clay Gallery. Good reputation. ‘Arts on Douglas’ is supportive and open to networking. Very hard to get your work accepted. Prices are high for the average buyer.

Harris House: is an extension of ACA for community exhibits and classes for children during the summer. Some scholarships are offered. Location is in Arts District across the street from Arts on Douglas and Clay Gallery. Could improve both image and contribution.

Artists Workshop: started in 1957 by a group of local artists. They opened AW Gallery in part of the Chamber of Commerce building, Canal Street, in 1980. Relocating their workshop and teaching facilities to the Old High School, North Causeway, 2011- off the beaten track – but hope to keep presence in C of C building.

Open membership. Classes at \$75 for 6 weeks; workshops at \$175-255 for 2-3 days. Well supported and with a good reputation. Majority of members are supportive and open to networking.

Clay Gallery: owner Teresa Bowen has been a potter since 1978. Opened this working gallery in 1998 and has since hosted 60 + craft artists – pottery, jewelry, glass, wood & paintings. In 2008 was awarded NSB's Best of Local Businesses Award in Art Galleries and Dealers (USLBA). Location is in Arts District adjacent to Arts on Douglas. A very popular gallery with a good reputation. Very supportive of networking and The Hub on Canal. *'My strongest months are Dec, March, and April. Snowbirds are a strong customer base for me in the spring. Summer is very slow, that's why I usually head north for shows. I do very little online sales but I don't do much marketing for this. Mostly those are people that see my work at shows and place orders later. However, I have been told that Facebook can be very good for marketing so I am starting to pursue that angle.'* Teresa Bowen.

Mosquito Mud Pottery: owner Jennifer Kerr-Marsh opened her first gallery in a garage on the beachside in 1998. Mosquito Mud Gallery opened at 141 Canal Street in 2005. It closed in 2008. Her work (architectural, ceramic sculpture and tile) is in 80 galleries around the country, in 31 states. MMP is now located, in the Arts District, out of her home at 808 Magnolia Street. Jennifer has 1-4 employees, and is very supportive of both networking and The Hub on Canal.

'As far as retail goes, I don't really do much anymore. When I did on Canal, the season ran from Nov to Dec 11-ish and Winter kicked in around January to end of March and summer was terrible every year. Sales at the gallery were around \$2000 a month over summer and \$3500 a month in winter. Operating costs ran pretty close to that. I never really made any money at the shop and lost money the last 6 months there. When it was good, at peak of hay days there, oct nov dec of 06 and 07 I did closer to 8,000\$ a month. Then it died, very sad. Wholesale, on a yearly basis, gross in 06, 07, I did \$100,000; then it had dropped over time now to \$65,000 for the last couple of years and I'm track to do the same this year. This is gross, not net. Operating costs have soared' Jennifer Kerr-Marsch.

Ring Gallery: opened Sept 2011 at 115 Sams Avenue, just off Canal Street, displaying mainly photography but with wood, glass, fabric and pottery items also. Split 45/55. Supportive and eager to network.

"Canal Street is coming back," Ring said. "I'm excited about the location and all of the events and festivals in the downtown area." SEVObserver.

Gifts with Humanity: work by artisans world-wide, mostly online sales since 2003. Sales of \$200,000 in 2004, increasing 40% each year, \$1.3 million in 2009, on track for \$2 million. Very supportive and eager to network.

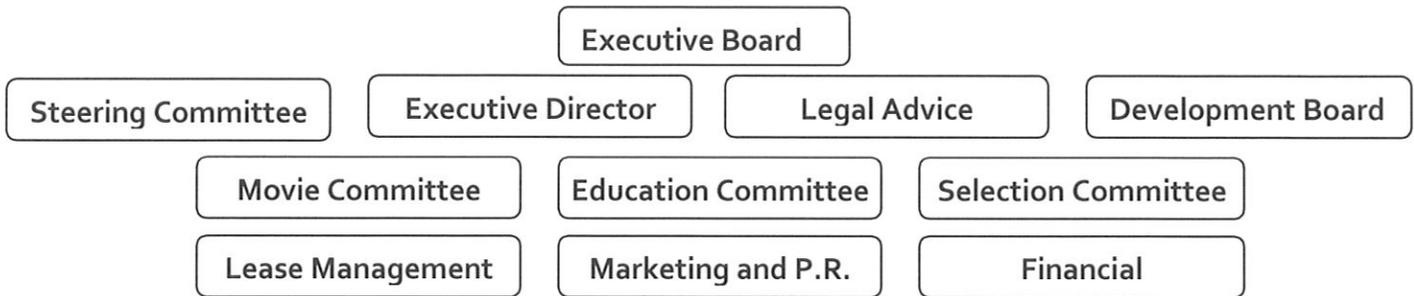
Canal Street Historic District: retail merchants and professional businesses in the Historic Downtown area of Canal Street. Strong membership, very supportive, eager to network.

University of Central Florida: supportive and interested in basing suitable programs at The Hub.

Local merchants, Rotary, Kiwanis, Civic Groups & neighborhood associations: very supportive and interested in networking.



5.0 Organizational structure



Executive Board:

Sally Mackay: *former mayor NSB, Chair NSB Planning & Zoning Board, board member VGMC, writer, musician, teacher*
Chairman

Susan Stern: *clinical psychologist, silver smith/jeweler, former gallery owner, mentor for Cudas Unhooked, Bert Fish Foundation Board member*
Vice-chair/secretary:

Susan Ellis: *former member New Smyrna Beach Code Enforcement Board and Board of Adjustment, former laboratory supervisor, amateur photographer and amateur graphic designer*
Treasurer

Nancy Barclay: *business-woman, interior designer*

Bill Preston: *attorney*

Fifteen member Steering Committee: potential members.

Dick Tucker: *Prof Emeritus UCF, founder of Lifelong Learning, President of Counsel on Aging, board-member Pleine-Aire Artists*

James Hathaway: *Vice-Mayor & City Commissioner NSB, Vice-President Volusia League of Cities, candidate for VCC district 3, businessman*

Ann Brady: *Board Member of VCCC, former ACA Director, former Development Director & grant writer.*

Rick Martorano: *Dr. of Music, composer, performer, choir master, actor*

Kay Nolan: *artist, teacher, former owner/exec. of art center in Alaska*

Owen Davison: *Special Needs art Board, former City Parks and Recreation director*

Beau Wild: *artist, sculptor, former owner/exec. of art center in Daytona Beach*

Will Miller: *architect, former exec board of ACA.*

Cindy Jones: *pres CSHD, former bank exec, former financial manager, businesswoman.*

Nancy Maddox: *Pres Fl Hist Preservation Soc, Cultural Dir Vol Cty.*

Joye Schaffer: *former president of Artists' Workshop, artist.*

Mimi Hall: *County Librarian; writer, former ballet-dancer.*

David Love: *engineer, local businessman, classical guitarist.*

Justin Traub: *local business, founder of SALT (Cof C)*

Frankie Robert: former ACA Dir, Aide to Senator Evelyn Lynn, singer.

Legal advice

**Bill Preston: lawyer for trustees, wills, foundations etc. attorney for Utilities Commission
NSB**

Jamie Peterson: attorney, CRA Board member

Development Board: to date

**Bill Preston: lawyer for trustees, wills, foundations etc. attorney for Utilities Commission
NSB**

Lynda Mays: former executive dir. of non-profit school, former board-member non-profit orgs.

Linda Davis: fund-raiser

*Kay Walker: fund-raiser/organizer for American Heart Foundation, board-member
Cudas Unhooked*

Teri Cobean; businesswoman; dir of Friends Bank; former fund-raiser for ACA

Executive Director: un-named at this time.

Movie Committee: to date

Hal Spurney: experienced tech expert and home-theater exec.

Sallie Spurney: business woman; former CFO

Steve Hardock: former member of VCCC, artist, video & film instructor; teacher

Heath Jones: scriptwriter; film director/producer

Matt Peterson; lawyer, musician (20-30's)

Selection Committee: names will not be published.

Education Committee:

**Dick Tucker: Prof Emeritus UCF, founder of Lifelong Learning Program, Pres-elect
Counsel on Aging**

Casey Blanton: Professor in Humanities DSC;

Debbie Dean: writer.

Financial:

Susan Ellis: Board Treasurer (THoC), businesswoman, artist.

Kay Nolan: former owner/operator of an art-center, artist.

Management:

Lynda Mays: former executive dir. of non-profit school, former board-member non-profit orgs.

P.R.

Diana Bardyn: Journalist, marketing consultant, writer, French teacher

6.0 Marketing Plan:

The Hub on Canal will use various high-impact marketing strategies that will allow and encourage sales of its art inventory to the general public, primarily through art events and shows that are regularly organized.

Timely and regular coverage of these events by the media, news releases, and feature stories will spread awareness in the local and other communities. Advertisements on WSBB radio and Athena Post will be continuous, as will information on Facebook, thehuboncanal.org, CSHD website, Chamber of Commerce, and through other civic associations.

Membership discounts will be available and there will be special events and networking promotional events with other agencies and businesses.

Websites: www.thehuboncanal.org
 www.surfscapedance.org

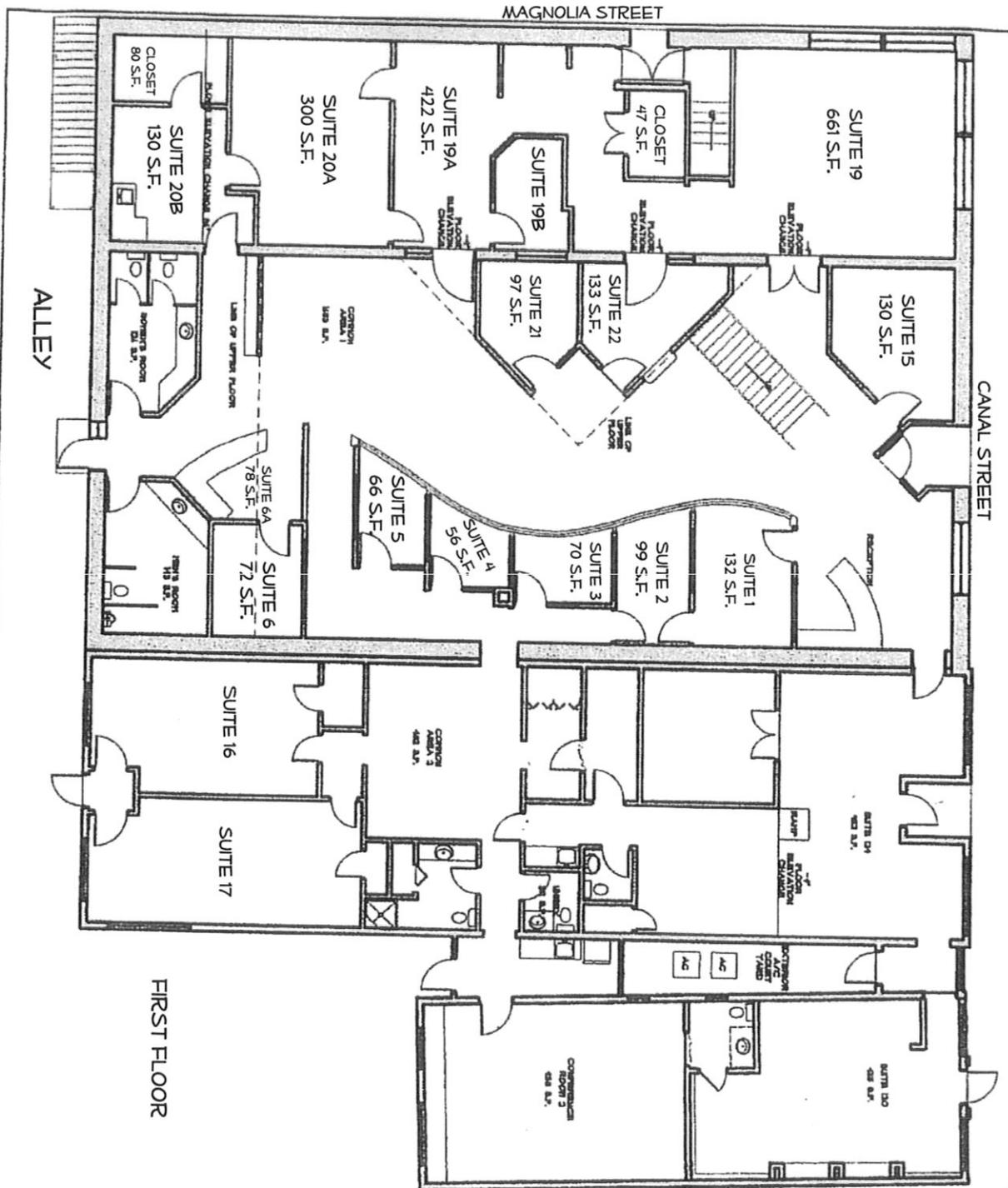
Please contact us at thehuboncanal@gmail.com or Sally Mackay at 386 235 4140.

Thank you.

HubArt Connection, Inc.

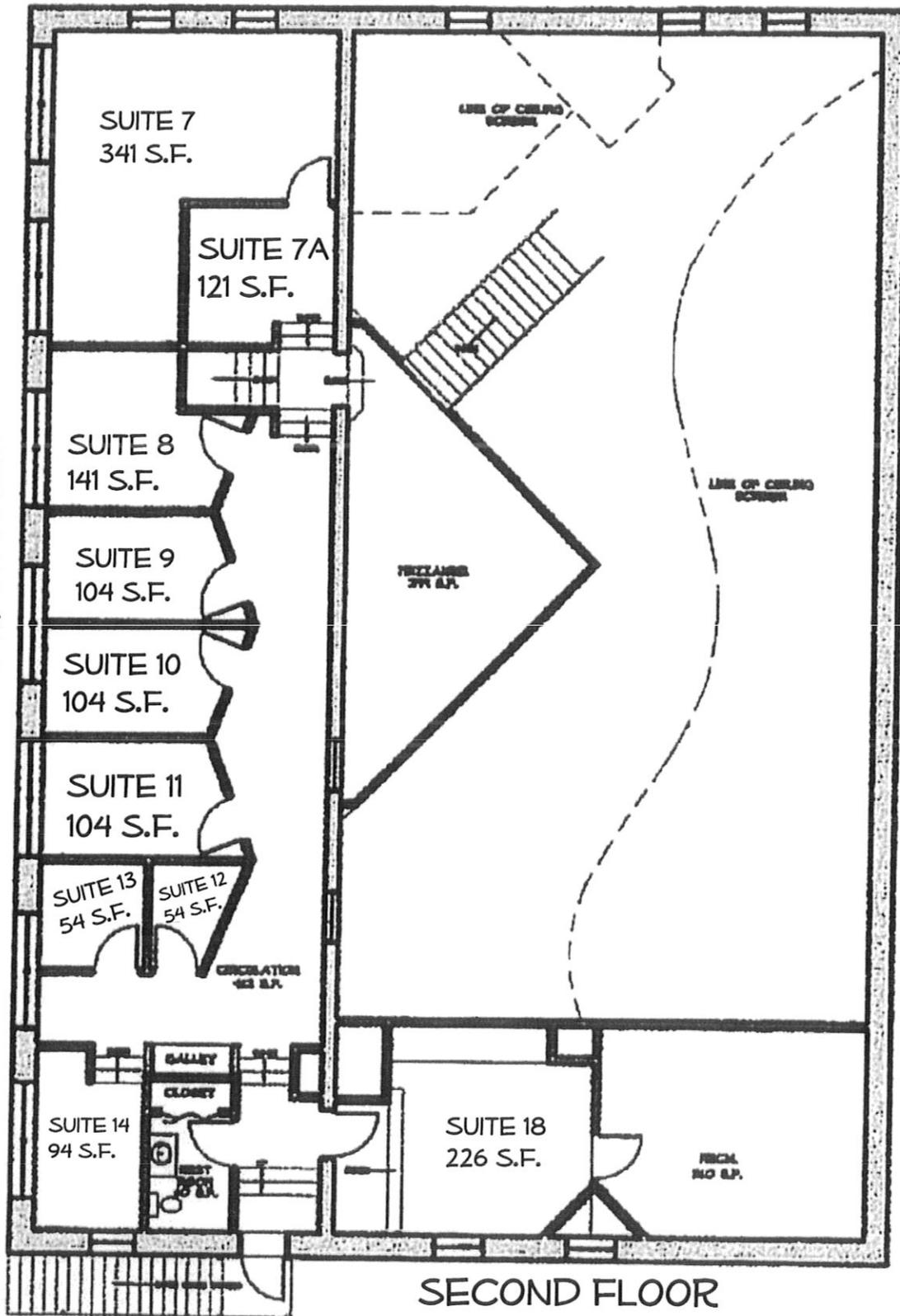
A non-profit corporation established May, 2011

EIN 45-2422374



CANAL STREET

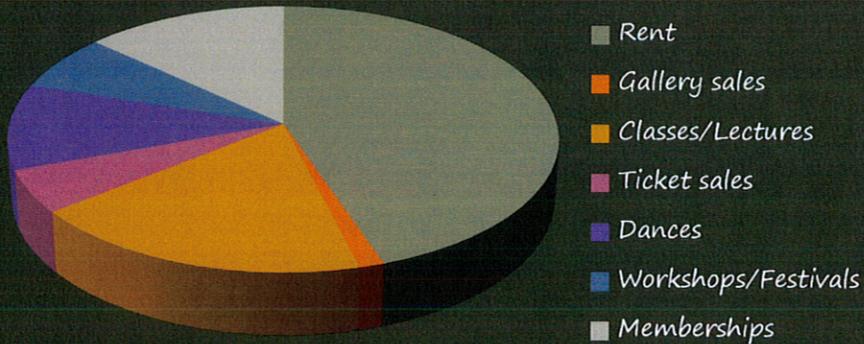
MAGNOLIA STREET



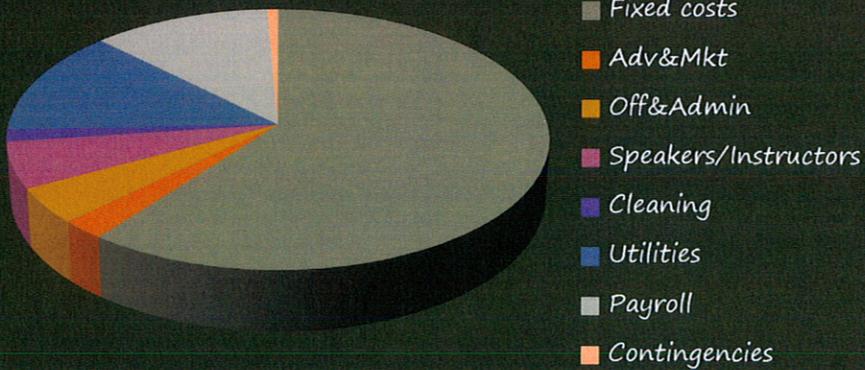
SECOND FLOOR

Income Projection

At completion



Expense Projection



The Hub on Canal Pro Forma Cash Flow Statement - Full Potential Realized

	Year 1 Per Month	Year 1 Yearly Total	Year 2 Per Month	Year 2 Yearly Total
Beginning Cash Balance	3,333	40,000	2,084	25,006
Cash Inflows (Income):				
Fixed income:				
132 Canal (2979sfx\$1.50/mo)	4,469	53,622	7,448	89,370
120 Canal (existing lease-year 1)	583	6,996	1,138	13,650
124 Canal (existing lease- year 1)	1,586	19,032	2,380	28,560
Suite 19 (708sfx1.5/mo)(1)	1,062	12,744	1,770	21,240
Suites 16&17(638sfx\$1.5/mo)(1)	957	11,484	1,595	19,140
Subtotal	8,657	103,878	14,330	171,960
Classes/Lectures (2)	600	7,200	600	7,200
Dances (3)	800	9,600	800	9,600
Gallery sales (4)	200	2,400	200	2,400
Live entertainment (5)	400	4,800	400	4,800
Memberships (6)	517	6,204	517	6,204
Movies (7)	800	9,600	800	9,600
Solo-gallery rental (8)	200	2,400	200	2,400
Subtotal	3,517	42,204	3,517	42,204
Total Cash Inflows	12,174	146,082	17,847	214,164
Available Cash Balance	15,507	186,082	19,931	239,170
Cash Outflows (Expenses):				
Fixed Expenses				
Rent(10500sfx\$.5/mo)	5,250	63,000	5,250	63,000
Insurance	1,167	14,004	1,167	14,004
Reserves	850	10,200	850	10,200
Subtotal	7,267	87,204	7,267	87,204
Operating Expenses				
Adv&Mkt	50	600	50	600
Contingencies	500	6,000	500	6,000
Office supplies	200	2,400	200	2,400
Payroll	2,500	30,000	2,500	30,000
Pest control	100	1,200	100	1,200
Cleaning	400	4,800	400	4,800
Speakers/Instructors	300	3,600	300	3,600
Security	178	2,136	178	2,136
Telephone	150	1,800	150	1,800
Utilities	1,778	21,336	1,778	21,336
Subtotal	6,156	73,872	6,156	73,872
Total Cash Outflows	13,423	161,076	13,423	161,076
Ending Cash Balance	2,084	25,006	6,508	78,094

The Hub on Canal Pro Forma Cash Flow Statement 2/3 Full Potential Realized

	Year 1 Per Month	Year 1 Yearly Total	Year 2 Per Month	Year 2 Yearly Total
Beginning Cash Balance	3,333	40,000	(1,318)	(15,812)
Cash Inflows (Income):				
Fixed income:				
132 Canal (2979sfx\$1.50/mo)	2,949	35,391	4,915	58,984
120 Canal (existing lease-year 1)	583	6,996	751	9,009
124 Canal (existing lease- year 1)	1,586	19,032	1,571	43,273
Suite 19 (708sfx1.5/mo)(1)	701	8,411	1,168	14,018
Suites 16&17(638sfx\$1.5/mo)(1)	632	7,579	1,053	12,632
Subtotal	6,451	77,409	9,458	137,917
Classes/Lectures (2)	396	4,752	396	4,752
Dances (3)	528	6,336	528	6,336
Gallery sales (4)	132	1,584	132	1,584
Live entertainment (5)	264	3,168	264	3,168
Memberships (6)	341	4,095	341	4,095
Movies (7)	528	6,336	528	6,336
Solo-gallery rental (8)	132	1,584	132	1,584
Subtotal	2,321	27,855	2,321	27,855
Total Cash Inflows	8,772	105,264	11,779	165,771
Available Cash Balance	12,105	145,264	10,461	149,959
Cash Outflows (Expenses):				
Fixed Expenses				
Rent(10500sfx\$.5/mo)	5,250	63,000	5,250	63,000
Insurance	1,167	14,004	1,167	14,004
Reserves	850	10,200	850	10,200
Subtotal	7,267	87,204	7,267	87,204
Operating Expenses				
Adv&Mkt	50	600	50	600
Contingencies	500	6,000	500	6,000
Office supplies	200	2,400	200	2,400
Payroll	2,500	30,000	2,500	30,000
Pest control	100	1,200	100	1,200
Cleaning	400	4,800	400	4,800
Speakers/Instructors	300	3,600	300	3,600
Security	178	2,136	178	2,136
Telephone	150	1,800	150	1,800
Utilities	1,778	21,336	1,778	21,336
Subtotal	6,156	73,872	6,156	73,872
Total Cash Outflows	13,423	161,076	13,423	161,076
Ending Cash Balance	(1,318)	(15,812)	(2,962)	(11,117)

Income Notes:

(1) Suites 16/17 and 19 can be offered rent incentives for first 3 months in year one only.

Suite 19: Expected to be leased as a wine/coffee bar

Suites 16&17: Surfscape Dancers want a 10 year lease at \$1.5 per sq.ft./month for the first year and \$2.5 per sq.ft. thereafter.

Surfscape will also rent the main gallery in #132 as and when needed.

(2) Classes: Based on 5 classes per week, \$3 per person and 10 people per class.

(3) Dances: Based on 2 dances per mo., 40 people at \$10 per person.

(4) Gallery sales: Based on sales of \$500/mo. x 40% split with artist.

(5) Live entertainment: Based on 2 shows per mo., 20 people at \$10 per person.

(6) Memberships based on:

\$50 Family memberships - 2.4 per week - OR

\$100 Friend memberships - 1.2 per week - OR

\$350 Patron memberships - 18 per year - OR

\$1,000 Benefactor memberships - 6.2 per year

(7) Movie Theater and Courtyard - with wine/coffee service:

Our figure is based on a low estimate of 20 people per week at \$10 each which equals \$800/mo.

Attendance estimates range from:

low - 20 people per week at \$10 each which equals \$800/mo.

mid - 60 people per week at \$10 each which equals \$2,400/mo.

high - 120 people per week at \$10 each which equals \$4,800/mo.

There is a very strong upside revenue potential in this program.

(8) Based on individual gallery show for 2 weeks at \$250 per show.

(9) Further potential exists for annual film festival, writers conferences, retreats and workshops, lecture series and private and corporate rental for parties, weddings and seminars.

No addition has been made to these projections for grant money or sponsorships.

September 8, 2011

Justification of income assumptions.

(1) Sub-leased spaces

Total sub-lease space = 3,687 sq ft per month
Potential artist booth = 2,341 sq ft = \$3,511 yr 1; \$5,852 yr 2
Dance studio = 638 sq ft = \$957 yr 1; \$1,595 yr 2
Wine/Coffee Bar = 708 sq ft = \$1,062 yr 1; \$1,770 yr 2

Suites 16 & 17: south half of building 124 (less washroom and common area 2) measuring 638 sq ft. Leasing for 10 years to Surfscope Contemporary Dance Theater at \$1.50 per sq ft/mo for year 1 and \$2.50 per sq ft/ mo thereafter for teaching & rehearsal purposes. Surfscope will also rent main gallery as and when needed.

Suite 19 (and possibly conference room 1): N/W corner of building 132 including access to Magnolia St: measuring 708 sq ft (+ 130) for W/C Bar leasing at \$1.50 per sq ft/mo for year 1, and \$2.50 per sq ft thereafter.

Both tenants can be offered rent incentives of \$0.00, \$250 and \$500 for first three months in year 1 only depending on our beginning cash flow amount.

Suites 1-22A: rent at \$1.50 per sq ft/ mo in year 1, increasing to \$2.59 thereafter. Current tenant list includes: 8 painters, 2 potters, 1 shoemaker, 1 interior decorator, 1 masseur, 2 writers, 3 jewelers, 1 glassmaker, 2 fabric artists, 2 sculptors/bas relief.

Rent amount based on typical range of \$3.00-4.00 and up for 'community buildings' in Port Orange, Ormond Beach, Daytona area, Edgewater.

(2) Existing leases

120 Canal St : 455 sq ft = \$583 per month
124 Canal St : 952 sq ft = \$1,586 per month

(3) Gallery Sales

\$200/month based on total sales amounting to \$500. At 40/60 split hub/artist(s).

Arts on Douglas operates on 50/50 split; Mike Ring Gallery intends a 45/55 split; Hollingsworth & claystephens galleries have 40/60; Artist Workshop & Peabody Auditorium 30/70.

(4) Classes

\$600/month based on 5 classes/ week @ \$3.00/person and 10 people per class

Range of subjects will be very broad and based on members' suggestions. Cost low @ \$3.00/person/class for ongoing weekly group-classes and \$10/hr for specific subject classes. Workshops will be \$20-\$30/ hr. with discount for members.

Rates based on typical range of \$5.00/hr - \$15/hr at Gateway, ACA, Deland, Sanford, Studio 308, Vero Beach.

(5) Movies

\$800 per month based on low of 20 people per week @ \$10.00 per person.

Tickets would be pre-sold, with group/specialty appeal, wine and coffee service. Program has strong upside revenue potential of mid-range 60 people per week = \$2,400/mo and high of 120 people per week = \$4,800/month. Options of Film Club, memberships, special events, teleconferencing.

Cinematique Daytona charges \$8.00; Enzian Orlando charges \$10.00

(6) Dances

\$800 per month based on 2 dances per month with 20 people @ \$10.00 per person.

Prices based on Salsa Ballroom Dances, Daytona \$8.00; Quanita's Daytona \$1000; Ormond Beach dancing \$10.00; Deltona \$10.00.

(7) Live entertainment

\$400 based on 2 shows per month with 20 people @ \$10.00 per person.

Low price of \$10.00 based on Marc Monteson Entertainment. Potential exists for \$25- \$40 depending on artist.

(8) Solo Gallery Shows

\$100-\$200 per month depending on whether solo/group/youth/schools or non-profit orgs, and whether any reception.

Rate-range & flexibility is based on Peabody Auditorium, Arts on Douglas, Artists' Workshop, Daytona Art League

(9) Memberships

\$517 per month = goal of \$6,200 per year

from \$25 Individual at 4.8 memberships/week

Or \$50 Family at 2.4 memberships/week

Or \$100 Friend at 1.2 memberships/week

Or \$350 Patron at 1 memberships every 2 months

Or \$1,000 Benefactor at 6.2 memberships per year.

Membership rates are based on

ACA: \$40/70/100/250/1,000

Gateway: \$35/40/45.

Deland Museum: \$35/55/100-249/250-499/500-999/1,000-2,499

Deland Museum of Women's Art: \$25/50/100/200/500/1,000/2,500.

Further potential exists for:

An annual film-festival: growing from a weekend event into a 10-day event. Numbers attending are un-limited.

Suggested date is late spring before winter-visitors leave the area. Venues could include ACA, NSB High School Auditorium, Chamber of Commerce, Brannon Center, and ultimately rented space at the Beacon Theater

An annual writers' conference: growing from a weekend event into a 10-day event. Numbers attending could be in the hundreds.

Suggested date is early spring in order to take advantage of good weather. Venues are available.

Retreats and Workshops: ranging from twenty-four hours to weekends. Yoga, meditation, writing, music, drama.

Winter Lecture Series: ranging from 6-12 weeks.

Rental space available for private and corporate parties, weddings & seminars



SURFSCAPE CONTEMPORARY DANCE THEATRE

DELIVERING THE ART OF MODERN DANCE TO VOLUSIA COUNTY

563 Caro Court

New Smyrna Beach, FL 32168

386.233.4885

Rachael Leonard & Kristin Polizzi

Artistic/Executive Directors

surfscapedance.org

August 16, 2011

To Whom It May Concern,

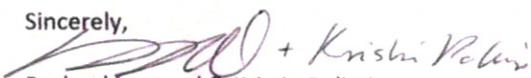
It is the intention of Surfscapes Contemporary Dance Theatre, Inc. of New Smyrna Beach, Florida, to be a residing partner in The Hub on Canal, to be located at 132 Canal Street in New Smyrna Beach. SCDT commits to lease Suite 8, a 124 square foot office on the second floor at the price of \$2./SqFt, and Suites 16 and 17 at the rear of the main floor for the initial rate of \$1.50/SqFt. The total rent for the two spaces will total \$1195 per month, however, SCDT agrees to renegotiate the rate for Suites 16 and 17 after 6 and 12 months of activity. At which time, if revenue generated by SCDT is adequate enough to increase the rent payment, SCDT is prepared to increase the rental payment to a fair and reasonable rate that is no lower than \$1.50/SqFt and that is equitable for all parties involved. SCDT is immediately prepared to put down first, last and security on the three spaces and will furnish all labor, supplies, and applicable permits to renovate Suites 17 and 18 into a single studio space that is appropriate for dance and related activities.

Surfscapes Contemporary Dance Theatre, Inc. is an established and independent non-profit (501c3) professional dance company that serves and resides in Volusia County. The company is comprised of two founding Directors, an active Board of Directors, and 15 paid professional dancers. SCDT has a seven year history of offering successful programs and professional dance productions year-round. The company is financially stable and has earned widespread respect and praise throughout the local community. SCDT has amicable and reciprocal partnerships with several local organizations including Atlantic Center for the Arts, The Museum of Arts and Sciences, Southeast Museum of Photography, Daytona State College, Very Special Arts, United Cerebral Palsy, Volusia Flagler YMCA, and the Volusia County Cultural Alliance, among many others. More comprehensive information about SCDT can be found on the company website, surfscapedance.org.

Office space at The Hub on Canal will be used by SCDT for general purposes including administration and box office operations. The studio space will be used for a wide array of purposes including, but not limited to; company rehearsals, company class, master classes and community classes in Creative Movement, Ballet, Modern Dance, Zumba, Zumba Gold, CardioDance, Ashtanga Yoga, Vinyasa Flow Yoga, Mat Pilates, African Dance, Jazz Dance, Ballroom Dance, Line Dancing, Senior Fitness, Belly Dance, Musical Theater, Jazz Dance, Hip-Hop, Conditioning and Stretch, and Aerial Silk, Lyra and Harness. In addition, movement related classes will be offered to underserved youth and groups with varying special needs (wheelchair, Parkinson's, Cerebral Palsy, Autism, blindness, etc), as an extension of SCDT current Community Outreach Programming. The schedule will serve all levels and ages from youth to active older adult and will accommodate for those from varying financial backgrounds. Classes will be facilitated by SCDT's extensive group of degreed and certified professional instructors and by carefully selected guests. Approximately 25-38 classes will be offered each week.

SCDT will work with The Hub organization and fellow residents to create programs and fundraising events to ensure the success and longevity of the facility. SCDT is confident that The Hub is a necessary and limitless concept with serious potential. More specifically, 132 Canal Street is an ideal location and space. Please accept this letter of intent as a written commitment to both lease said spaces and participate in the fruition of the project.

Sincerely,


Rachael Leonard & Kristin Polizzi
Executive/Artistic Directors


Samantha Anderson
Board Chair

NSB Independent Movie Theater

Assumptions:

- 1 Open Thursday - Sunday, 1 show PM
- 2 Open Saturday, 1 show AM
- 3 We can show same movie on two screens
- 4 We can sell Beer and Wine
- 5 We can have 12 tables with 2 seats each
- 6 We can add 1 seat to each table if needed
- 7 Tickets would be \$10 each
- 8 We would sell memberships
- 9 We would have special events
- 10 We would sell advertising
- 11 We would have teleconferencing capability

	Weekly	Monthly	Assumptions
Revenue			
Seats (estimate 20 people a night x 4)	\$ 800.00	\$ 3,200.00	20 people x \$10 x 4 nights
Sat Matinee (10 children)	\$ 50.00	\$ 200.00	10 kids x \$5 x 4 weeks
Theater Rental for conferences	\$ 300.00	\$ 1,200.00	Once a week
Digital Advertising	\$ 150.00	\$ 600.00	1 advertiser a week
Beverages/Snacks	\$ 400.00	\$ 800.00	\$5 glass of wine x 20 people
Estimated Weekly Revenue	\$ 1,700.00	\$ 6,800.00	
Expenses			
Equipment		\$ 500.00	\$12-13k for purchase over 2 yrs
Furniture			\$7k for purchase
Movie Rental		\$ 1,000.00	\$1k-\$4k dep on movie (\$200 night avg)
Rent			
Utilities			
Insurance		\$ 400.00	
Cleaning		\$ 800.00	
Salaries		\$ 1,200.00	\$20hr x 3 hrs x 5daysx 4weeks
Supplies		\$ 100.00	
Food/Beverage		\$ 800.00	50% of revenue
Marketing			
Estimated Expenses		\$ 4,800.00	

DRAFT COPY SUBJECT TO CHANGE



2814 Bay Side Drive
 New Smyrna Beach FL 32168
 Tel: 386-409-0515 Fax: 888-886-4575
 www.newway.com
 FL License: EF20000668

PROPOSAL

CUSTOMER INFORMATION

Name The Hub Date: September 5, 2011
 Address Proposal Number: 11EP1459

PROJECT INFORMATION

Theater Budget

Qty	Description	Each	Ext
1	Projector	\$ 4,200.00	\$ 4,200.00
1	133" Fixed Mount Screen	\$ 1,450.00	\$ 1,450.00
1	Ceiling Mount	\$ 275.00	\$ 275.00
1	Surround Sound Amplifier	\$ 550.00	\$ 550.00
3	LCR Speakers	\$ 550.00	\$ 1,650.00
1	SS Speakers	\$ 500.00	\$ 500.00
1	SubWoofer	\$ 1,300.00	\$ 1,300.00
1	DVD Player	\$ 350.00	\$ 350.00
1	Wiring and misc equipment	\$ 850.00	\$ 850.00
1	4' Rack to house and power all equipment	\$ 500.00	\$ 500.00
16	Labor	\$ 90.00	\$ 1,440.00
SUB-TOTAL			\$ 13,065.00
TAX		6.50%	\$ 849.23
TOTAL THIS PROPOSAL			\$ 13,914.23

TERMS

- 1 APPROPRIATE TAX WILL BE CHARGED IF NON TAXABLE CERTIFICATE NEEDS TO BE PROVIDED
- 2 ALL FLAT PANEL TVs WILL BE PAID AT TIME OF DEPOSIT
- 3 50% OF REMAINING BALANCE DUE AT ORDER ACCEPTANCE IN ADDITION TO FLAT PANELS
- 4 BALNCE DUE AT PRODUCT INSTALLATION
- 5 CUSTOM PRODUCTS WILL NOT BE ORDERED UNTIL DEPOSIT RECEIVED
- 6 PRICES GOOD FOR 25 DAYS FROM DATE SHOWN ABOVE
- 7 FLAT PANEL PRICES CHANGE OFTEN AND CAN ONLY BE GOOD FOR 10 DAYS

ACCEPTANCE

The Hub _____ Date _____

 Hal Spurney _____ Date September 5, 2011

Business Opportunity for Investors

Proposal

That an investor, or group of investors, purchase numbers 120, 124, and 132 Canal St and subsequently lease them to The Hub on Canal Inc and affiliated businesses for a period of ten (10) years.

Market Value History

The property, comprised of three buildings, was sold in 2000 for \$1.6 million, before the 2003-2007 real-estate bubble and before any renovations were done.

Extensive renovations were completed by Kevin Schweitzer (architect) for a firm that made computer software in building #132. The space was divided into aesthetically pleasing cubicles, each measuring approx. 100 sq ft., and utilizing the original brickwork, curving glass partitions and suspended metal constructs. The resulting angles and curves give a stunning appearance to the inside of the building.

The property was sold in 2006 for \$2,050,000.

Because of the unique nature of the internal layout, it has proven difficult for the new owners to utilize or lease space, and the buildings became vacant. They were ultimately bought in a bundle of foreclosed properties by Iron Creek Ventures LLC, Dallas, Texas. They are motivated to sell. They will not split the buildings. They would consider a lease to purchase and are willing to hold paper.

Construction of the buildings.

The three buildings are in good condition, are up to code, and have separate street addresses. The total area is approximately 11,000 sq. ft.

132 Canal St has internal walls of original brick, a second story and a triangular mezzanine area overlooking the ground floor - both balcony and stairway are constructed from solid steel. Ceiling is open rafters over the main area and acoustic tile everywhere else. The main area has a high-gloss wood floor. The remaining floors, throughout all three buildings, are carpet over concrete/wood base.

120 and 124 have dry-wall finish. Restrooms are handicap-accessible.

All three buildings are connected, sharing walls and internal access to each other. There is a one inch water supply and the buildings are serviced by one meter.

Whereas there is no sprinkler system, this would be relatively easy to install as 132 has open rafters and all other buildings have suspended ceilings. Telephone service, wifi, service and security wiring is in place. At the south end of all three buildings there is a service alley onto Magnolia St.

There are seven independent exits to the street, and an alley exists between #'s 120 and 124 that could connect the walled courtyard on the south-east corner of the property to Canal St, if

two small walls were removed and two a/c compressors relocated to the roof. Pavers, lighting and hanging baskets would make this an attractive addition to the Downtown. There is no parking associated with the property. It is, however, situated across from the Chamber of Commerce parking lot.

CRA grant opportunities.

Because each building has a separate street address and can be leased to separate businesses holding occupational licenses with City of NSB (Surfscape Dance Group, proprietor of Wine/Coffee Bar, and the individual working artists for example) the opportunity could exist to apply for individual grant monies as well as application by the owner(s) of the property as a whole.

CRA grant programs currently exist to meet 50% of the cost of building improvements/renovations, window, facades etc. Note: Application does not guarantee that money will be awarded.

A Quick Summary of CRA Programs
August 17, 2011

Current Programs

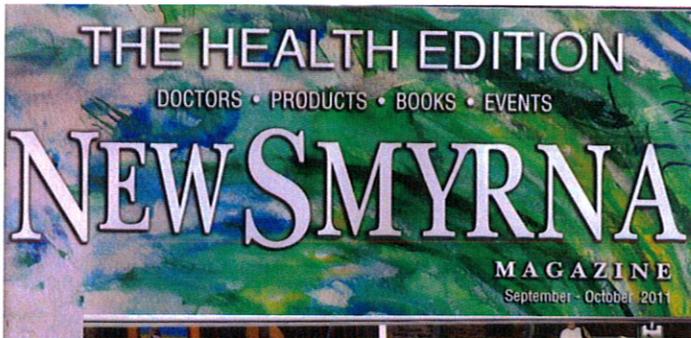
1. Impact Fees* – provides up to \$5,000 for City impact fees (not County or Utilities Commission impact fees) for Commercial projects
2. Commercial Matching Revitalization* – provides up to \$10,000 for interior items required to meet code requirements such as a ADA regulations on a 50/50 matching basis (e.g., the applicant would have to spend \$20,000 on grant eligible items to be reimbursed \$10,000)
3. Commercial Property Improvement Grants* – provides up to \$10,000 for exterior items such as paint, stucco, awnings, sidewalks, and landscaping, on a 50/50 matching basis (e.g., the applicant would have to spend \$20,000 on grant eligible items to be reimbursed \$10,000)
4. Residential Property Improvement Grants – provides up to \$5,000 for exterior items such as paint, stucco, awnings, sidewalks, and landscaping, on a 50/50 matching basis (e.g., the applicant would have to spend \$10,000 on grant eligible items to be reimbursed \$5,000)
5. Independent Rental Move-In Assistance – provides up to \$5,000 for an independent business moving into the CRA in rental assistance if the property owner will reduce the rent by 25%.
6. Large Grants – provides up to \$50,000 per site on a 50/50 matching, reimbursement basis for building renovations within the Canal St, Historic Westside, and Flagler Ave areas for hospitality and retail businesses, or for residential infill.
- 7.

Proposed Programs (Scheduled for the August 23 City Commission Meeting)

1. Opportunity Sites – This new program is limited to the “Opportunity Sites” listed on p. 45 of the CRA Master Plan Update (as well as sites that can be added). A development agreement must be negotiated for each grant, with flexibility on eligible expenses.
2. Small-Scale Improvement Grants – Both commercial and residential properties are eligible for this grant program, which allows up to \$2,500 per site for exterior repairs.

NOTES:

1. Each applicant must comply with extensive regulations and requirements before grants are approved.
2. The first three grant programs listed above* are being presented to the City Commission on August 23 per Commission direction as a joint program allowing up to \$20,000 in grant funds on a reimbursement basis.



Membership Information

Individual \$25

Family \$50

Friend \$100

Patron \$350

Visionary \$1000

Unlimited amounts go with possible naming rights.

"We want to make clear the process for membership and sponsorship contributions collected for The Hub on Canal. Unless you check the box instructing us or specify that we 'use my dollars to make The Hub on Canal happen', your check will be placed in an escrow account. If the vision of The Hub on Canal is not realized by January 2012, your money will be returned."

Pictured Top: The Hub on Canal Open House held on July 2, 2011.

The Hub on Canal

Building Community Through Performance, Arts, Education, Collaboration, and Partnership

Imagine a vibrant and attractive downtown art-space where you can spend your afternoons or evenings painting, sculpting, dancing or simply relaxing while also promoting your community's unique artistic and cultural assets.

That is the vision of a group of New Smyrna Beach residents who are working hard to create what they refer to as "The Hub on Canal."

Sally Mackay, Chairperson of The Hub on Canal Executive Board and local business owner, describes the new venue as "a lively place, a new reason to go to Canal Street, a place to be intrigued, amused, to meet friends and relax in, and, if you enroll in classes or workshops, a place where you might even be challenged." "We want to help bring feet to the street, seven days a week, she said. "We want the lights on at night on Canal Street."

The new venue, located at historic 132 Canal Street and Magnolia, will foster local small business, fine arts, performance arts and cultural education opportunities. The building will not only offer a new destination downtown, but also the potential for gallery space, coffee shop/wine bar, film screenings, dance classes, art workshops, lectures, and festivals. A wide variety of space sizes will be available in the new venue which will partner with existing downtown businesses and also offer incubator space for new concepts.

Surfscape Contemporary Dance Theatre, established in 2005, has already committed to renting space where they plan to rehearse and also teach up to 35 different types of dance lessons a week.

"The Hub teaching programs are varied and all will be focusing on what the community wants - languages, books and writing, art lessons, cooking, gardening, etc. Nothing is off the table, said Mackay."

While community interest and support is strong, one obstacle the visionary group is facing is finding a person or group who is interested in purchasing the building.

"We need an investor or investors who share our vision and will give us a long-term lease in which to grow our programs and events, said Mackay. "I call it 'trickle-up economics' - City, investors, merchants, business-people and residents - all doing what they can to improve our local economy. It has already been done in many, many other cities. It works."

Once the building is secured the focus will turn to fundraising in order to pay for initial bills as the group grows the various programs. The community and any one interested in supporting this new venture can do so by becoming a member or through sponsorship. For more information email thehuboncanal@cfl.rr.com.



Presentation by Sally Mackay to the New Smyrna Beach City Commission – August 23, 2011

Good evening Mayor, City Commissioners.

I would like to talk briefly about The Hub on Canal. As you know we held a one-day open house just over a month ago in order to showcase our plans for 120, 124 and 132 Canal Street, where we intend to house as many different businesses and programs as is possible; all under one roof: a wine/coffeebar, dance studio - 15 professional teachers providing classes for anyone between the ages of 3 and 93. A movie theatre for indie and special interest films... soft chairs and wine/coffee service...plus a walled courtyard to relax in after the show; live entertainment on the weekends. Our classes and workshops will be designed to have the broadest appeal. We already have the interest of the Arts and Humanities Department of The University of Central Florida...if we get the buildings they have said that they will see what programmatic connections can be arranged. There will be incubator space for retail sales and for working artists; galleries and displays, we will create jobs and sales tax. We will help draw weekend and winter visitors, tourists and our residents to our Downtown - help to put feet on the street. It is happening in countless cities across the States; it is the President of the Florida League of Cities' initiative for this year. It works. Centers like these help to build the economy.

We believe so strongly in the potential of The Hub on Canal that we have become a corporation and we are in the process of negotiating for a long-term lease.

The property itself requires a minimum of rehab and renovation. It is in beautiful condition; a turn-key operation. We can go in and begin to work.

But programs like ours cannot go from zero to full-steam ahead in a month. Or even six months.

We are asking, when the new Opportunity Grant is written, that flexible language and a broad vision is used that will allow proposals such as ours to apply for assistance for the first two years so that our programs can be developed fully and grow in their potential.

Thank you.

CRA AGENDA ITEM SUMMARY

Staff Member Making Request Tony Otte		
Meeting Date: October 5, 2011		
Action Item Title: Opportunity Site Grant Application: Phase 1, Pennysaver Building		
Agenda Section: Consent _____ Public Hearing _____ Special Items <input checked="" type="checkbox"/>		
Summary Explanation and Background		
<p>The Pennysaver Building is a key building in the downtown Canal St area that has been vacant for several years. The building is listed in the CRA Master Plan Update as an "Opportunity Site" (p.45) and the site is mentioned again on p. 49 of the plan.</p> <p>Bob Wiley owns the adjacent building (to the East) and has redeveloped it into a thriving business center housing retail, restaurant, and professional office uses. On July 20 Mr. Wiley purchased the Pennysaver Building and proposes to redevelop the building with a substantial improvements to the front façade. The site plan also features connecting adjacent parking lots to significantly improve traffic flow, and abundant landscaping.</p> <p>Mr. Wiley is applying for an Opportunity Site Grant for the renovation of the Pennysaver Building, and requests that the Grant be divided into two phases:</p> <ul style="list-style-type: none"> • Phase 1 for the renovation of the South (front), West (Rush St) and East facades, and site work in the front of the building; and • Phase 2 for the renovation of the North façade, the interior, and site work. <p>The total cost of the renovation project is estimated at \$800,000. The projected cost per phase and the CRA funding requested is as follows:</p> <ul style="list-style-type: none"> • Phase 1: \$350,000; CRA requested funds, \$175,000; • Phase II: \$450,000; CRA requested funds, \$225,000. <p>The Opportunity Site Program requires that grant approval is conveyed through a development agreement. The "deal points" for the development agreement is provided in Exhibit 1. As time is of the essence, CRA Staff recommends approval of the deal points and authorization of the CRA Attorney to prepared a contract to take forward to the October 25 City Commission meeting for approval of the project.</p> <p>The applicant has also submitted a packet of information (the "application package") as required by the program guidelines. This packet is included in Exhibit II. Staff has reviewed the packet and is satisfied that it is complete. Staff and the CRA Attorney have also reviewed a letter from two banks indicating that the applicant has a line of credit and cash reserves that together are well in excess of the projected project cost.</p>		
Recommended Action/Motion:		
Approval with direction to the CRA Attorney to prepare a contract incorporating the "Deal Points" and to present the contract for approval at the October 25 City Commission meeting.		
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:		
Funding is provided in the FY 12 CRA budget in line item 12051502 583003, Development Assistance and Incentives. The draft budget figure for this program was \$1,154,533		
Exhibits Attached:		
1. Exhibit 1 "Deal Points"		
2. Exhibit 2: the information package prepared by the applicant		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

Pennysaver Opportunity Site Grant

DEAL POINTS

The New Smyrna Beach CRA will provide an Opportunity Site Grant for the renovation of the Pennysaver Building as follows:

1. The total Pennysaver building renovation is estimated to cost \$800,000 (total project budget). The Opportunity Site Grant for the Pennysaver Building will not exceed \$400,000 and will be provided on a 50/50 matching and reimbursement basis in two phases as follows:
 - a. Phase I as described herein, not to exceed \$175,000. The project budget for this phase is \$350,000
 - b. Phase II as described herein, not to exceed \$225,000. The project budget for this phase is \$450,000.
2. If the applicant defaults in complying with the terms and conditions of Phase I, funding for Phase II will not be awarded until the default is cured. If the default is not cured within a reasonable timeframe, the Phase II grant may be rescinded.
3. If there are additional costs for the project that were not anticipated in the project budget for each phase, the property owner shall be responsible to fund those costs.
4. If the final cost of Phase I or Phase II is less than the Project Budget, the amount of the CRA Opportunity Site Grant will be reduced accordingly to provide funding at 50% of the eligible costs.
5. The work to be completed in Phase I is depicted in the architect's rendering and site plan/floor plan for remodeling the South (front), the West (Rush St), and East side facades. This would include the adjacent curved walkway next to the building including the pavers. Also included: Construction of both towers, Rush St entry overhang with columns, porch construction, new glass storefronts, doorways, windows, electrical and lighting, plumbing, tile roofs (matching next door to the East), demo, stucco, painting (includes North side), construction fence, sign, clean-up, deck fencing, raising wall height and decorative edging, awnings, irrigation, landscape and trees; contractor, architect, and engineering fees, impact (if any) and permit fees. Construction timeframe: start in November, 2011, and conclude in February, 2012.
6. The work to be completed in Phase II is depicted in the architect's rendering and site plan/floor plan (to be determined by future tenants) interior build-out including interior doors, walls, HVAC, bathrooms/plumbing, electric, natural gas, lighting, ceilings, flooring, and painting. Upgrading of outdated and unsightly electric pole (on east side) to

pad-mount transformer. Relocate generator, grease trap, exhaust, hood, front (south) parking lot redesign, pavers, rear (north) parking lot redesign and connecting the site to the two adjacent parking lots per rendering. Dumpster, demo, and trash removal, architect and engineering fees, landscape/irrigation, impact fees (if any), permit fees, and other miscellaneous costs related to Phase II and contractor fees for Phase II. Construction timeframe, approximately four months from start date (specific dates to be determined, following Phase I)

7. Award of Opportunity Site grant does not preclude the owner or tenant(s) from seeking a future Combined Grant for interior leasable spaces in the building.
8. The granting of CRA funds in this program for this project is contingent on City Commission approval.
9. The building must comply with all local, state, and federal enactments including land use regulations, the City's Land Development Regulations, zoning, building codes and permitting procedures, and any other applicable laws and regulations.
10. The applicant must supply approved plans and specifications, a detailed time schedule and schedule of costs, which shall be attached to the grant and become a condition of the grant.
11. Any transfer of substantial ownership, as long as this CRA is in existence, shall be subject to approval of the CRA and such approval shall not be unreasonably withheld.
12. The applicant will maintain the redeveloped property to the standard shown in the plans and specifications, normal wear and tear excepted.
13. The applicant will begin work within 45 days and will complete all improvements within one year of City Commission approval of grant award.
14. The applicant will maintain appropriate insurance coverage on the building and premises until all grant funds are dispersed.
15. All representations by the applicant are true and complete including site plans,
16. The applicant represents that there are no environmental issues that would obstruct the intended use of the building.
17. The applicant will comply with Canal St design guidelines, applicable building codes and inspection procedures
18. CRA grant funds shall be provided on a 50/50 matching basis and on a reimbursement basis following inspection and acceptance of the work (acceptance to not be unreasonably withheld.)

19. The applicant understands that:

- a. All CRA grant approvals are contingent on permitting and development approvals.
- b. Any expenses related to the preparation of the grant application or materials in support of the grant application, including conceptual plans, studies, and work performed on site prior to final grant approval, etc are ineligible expenses
- c. Phases I and II of this grant are the only Opportunity Site grant that will be awarded for this site
- d. The property will not be delinquent in the payment of property taxes.
- e. Violations of the terms and conditions of the grant shall be deemed a violation for Code Enforcement purposes.

20. Funds will be provided through:

- a. Progress payments with a draw schedule to be included in the agreement.
- b. Progress payments and final payment shall be made following the submission of documentation of cost, inspections, and acceptance

21. Disputes shall be decided by the CRA Board of Commissioners.

22. Other terms may be required prior to grant award.

To: Tony Otte, CRA Director
City of New Smyrna Beach, Florida

From: Bob Wiley, building owner
237, 239 Canal St., and 101 Rush St. (one building)

As per meeting with Tony Otte, CRA Director and Claudia Soulie on August 30th, 2011 I am requesting from the CRA (Community Redevelopment Agency) to be considered for an Opportunity Grant for the building formerly known as the "Pennysaver" on Canal St.

At the meeting we viewed and discussed the architectural conceptual plans for the proposed project. This included a view of the exterior elevation, connecting of the surrounding parking lots and landscape areas. Also we discussed replacing the above ground outdated electric pole on the east side with a pad mount transformer and underground utilities. The interior will be divided for multiple tenants with finished interior shells including electric, plumbing, air conditioning and bathrooms.

We also discussed and reviewed the application requirements for the Opportunity Grant and are requesting to be placed on the agenda for the October 5th, 2011 CRA meeting.

Sincerely, Bob Wiley

REQUEST FOR 'OPPORTUNITY GRANT ASSISTANCE'

PROPERTY: 237-239 Canal St. 101 Rush St (one building)

OWNER: Robert Wiley

DESCRIPTION AND VISION:

The above described property and the adjacent (same owner) property to the east are the largest combined parcels in the downtown central business district and have been contributing into the Community Redevelopment District since its inception in 1985. Having owned the building next door since 1979, I have continually developed and upgraded the interior and exterior while preserving the historical feel and charm of the street. I have enjoyed a nearly full occupancy of office and retail mix over the years.

This new "Opportunity Site" remodel located in the heart of downtown at the prime intersection of Live Oak and Canal St. will be a huge step towards the revitalization of Canal Street and the surrounding area. Our emphasis will be on enticing retail businesses, thereby attracting more pedestrian traffic and benefiting other area businesses throughout the CRA district. The proposed redesign of the building was done with a Mediterranean decor to flow with the adjacent and other surrounding buildings. Heavy landscaping and pavers will create a warm feeling. By doing this anchor project it is our vision that it will inspire other property owners to continue to enhance other properties and businesses on Canal Street.

GRANT REQUEST: 50/50 matching grant with a cap of \$400,000 based on total \$800,000 project broken into two phases as follows:

Phase I: total cost of \$350,000 with a maximum grant of \$175,000

Phase II: total cost of \$450,000 with a maximum grant of \$225,000

NOTE: Actual grant amounts will be determine by actual (CRA verified) expenditures. CRA maximum grant is capped at \$400,000 even if owner spends more than the estimated \$800,000 costs.

Any amounts spent under the Phase I and Phase II amounts, grants will be reduced accordingly

Opportunity Grant-Description of Property

Robert Wiley

227-239 Canal Street and 101 Rush Street
New Smyrna Beach, FL 32168

Description of Property (general, size, existing utilities and history)

The building is located at 237-239 Canal St. and 101 Rush St. and is centered in the heart of the central business district. A concrete block/masonry building of approximately 8970 square feet originally constructed in 1967 as a US Post Office. The lot size is approximately 30,000 square feet and has excellent parking availability in both the front and rear of the property. The building was remodeled in 1989 and again in 1997 and most recently used as the News Journal/Pennysaver site. The site is supplied with utilities (water, sewer, and electric) by the New Smyrna Utilities Commission. The property is zoned MU (Mixed Use, Central Business) and is designated as an "Opportunity Site" in the CRA (Community Redevelopment District) master plan.

Description of Proposed Construction/Renovation

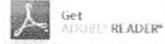
The proposed remodel of the site includes exterior façade improvements, parking lot improvements (including front and rear) as well as connecting to the existing adjacent lots to the east and the CRA lot to the north which will allow for much better usage and improved traffic flow. Heavy landscaping is planned on all four sides along with replacement of the outdated and unsightly power pole on the east side with underground pad mount transformer. The interior will be divided for multiple tenants with finished interior shells including electric, plumbing, air conditioning/ventilation, ceilings, flooring and bathrooms all done to current building code.

Description of Proposed Uses

The plans now call for the site to be subdivided into three smaller retail/office units and a midsize restaurant (approximately 75 seats) on the southeast corner which will also encourage evening hour (after 5 pm) business on Canal St.

The Volusia County Property Appraiser makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The values shown in the Total Values section at the end of the Property Record Card are "Working Tax Roll" values, as our valuations proceed during the year. These Working Values are subject to change until the Notice of Proposed Taxes (TRIM) are mailed in mid-August. For Official Tax Roll Values, see the [History of Values](#) section within the property record card below.

Notice of Proposed Property Tax



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Requires Adobe Reader

Last Updated: 08-23-2011 Today's Date: 8-26-2011		Volusia County Property Appraiser's Office Property Record Card (PRC) Morgan B. Gilreath Jr., M.A., A.S.A., C.F.A. Property Appraiser		
Full Parcel ID	41-17-34-37-01-0060	Mill Group	601 New Smyrna Beach	
Short Parcel ID	7441-37-01-0060			
Alternate Key	3878612	2011 Proposed Millage Rate	23.07000	
Parcel Status	Active Parcel	PC Code	17	
Date Created	06 JAN 1982			
Owner Name	WILEY ROBERT W		GO TO ADD'L OWNERS	
Owner Name/Address 1			ESTIMATE TAXES	
Owner Address 2	100 EAST CIR			
Owner Address 3	NEW SMYRNA BEACH FL			
Owner Zip Code	32169			
Location Address	239 CANAL ST NEW SMYRNA BEACH 32168			

LEGAL DESCRIPTION	GO TO ADD'L LEGAL
S 55 FT OF LOT 5 & LOT 6 EXC W 40 FT OF LOT 5 & 6 BLK 1 V LO	
WDS NEW SMYRNA MB 1 PG 144 INC PER OR 4214 PG 3606 & PER OR	

SALES HISTORY							
#	BOOK	PAGE	DATE	INSTRUMENT	QUALIFICATION	IMPROVED?	SALE PRICE
1	6611	3723	7/2011	Warranty Deed	Qualified Sale	Yes	499,000
2	6538	0796	11/2010	Bargain and Sale	Multi parcel sale	Yes	4,293,335
3	4214	3606	6/1997	Warranty Deed	Location	Yes	425,000

HISTORY OF VALUES								GO TO ADD'L HISTORY				
YEAR	LAND	BLDG(S)	MISC	JUST	ASD	SCH ASD	NS ASD	EXEMPT	TXBL	SCH TXBL	ADD'L EX	NS TXBL
2010	545,531	157,422	10,320	713,273	713,273	713,273	713,273	0	713,273	713,273	0	713,273
2009	654,638	189,815	10,320	854,773	854,773	854,773	854,773	0	854,773	854,773	0	854,773

LAND DATA

TYPE OF LAND USE	FRONTAGE	DEPTH	# OF UNITS	UNIT TYPE	RATE	DPH	LOC	SHP	PHY	JUST VAL
1STORY OFF	115.0	253.0	29095.00	SQUARE FEET	20.00	100	100	65	100	378,235
NEIGHBORHOOD CODE C7827 CANAL STREET										
TOTAL LAND CLASSIFIED 0										
TOTAL LAND JUST 378,235										

BUILDING CHARACTERISTICS

BUILDING 1 OF 1				GO TO BLDG SKETCH			
Physical Depreciation %	70	Next Review	2999	Obsolescence	Functional	0%	
		Year Built	1967		Locational	25%	
Quality Grade	300	Architecture			Base Perimeter	0	

BUILDING CHARACTERISTICS

PROPERTY TYPE	One Story Office	EXTERIOR WALL TYPE	%
STRUCTURE TYPE	Concrete / Masonry Walls	Unknown	100

BUILDING REFINEMENTS

Description	# of Units	Unit Type
Overhead Door, Aluminum	48	SF
Baths, 2-Fixture	1	UB
Baths, 3-Fixture	3	UB
Extra Fixture	1	UB

Section #	Wall Height	# Of Stories	Year Built	Bsmt %	Ground Floor Area	Interior Finish(es)	%	Sprinkler	AC?
1	14.00	1	1967	0.00	8970	Office, 1 story	100.00	No	Yes
2	14.00	1	1967	0.00	1616	Covered Loading Platform (CLP)	1.00	No	No
4	14.00	1	1997	0.00	70	Canopy (CAN)	1.00	No	No
6	14.00	1	1967	0.00	96	Canopy (CAN)	1.00	No	No
7	14.00	1	1967	0.00	96	Canopy (CAN)	1.00	No	No
8	14.00	1	1967	0.00	75	Canopy (CAN)	1.00	No	No

MISCELLANEOUS IMPROVEMENTS

TYPE	NUMBER UNITS	UNIT TYPE	LIFE	YEAR IN	GRADE	LENGTH	WIDTH	DEPR. VALUE
PAVING ASPHALT	8470	SF	6	1967	4	0	0	3,744
PAVING CONCRET	1752	SF	15	1967	5	0	0	3,833
FENCE WOOD	48	LF	10	1967	3	0	0	118
FENCE CHAIN LK	310	LF	15	1967	2	0	0	213
PAVING ASPHALT	5456	SF	6	1989	4	0	0	2,412

PLANNING AND BUILDING

					GO TO ADD'L PERMITS	
PERMIT NUMBER	PERMIT AMOUNT	DATE ISSUED	DATE COMPLETED	DESCRIPTION	OCCUPANCY NBR	OCCUPANCY BLDG
6-3212	0.00	9-25-2006	Unknown			0
15184	26,250.00	5-1-1989	12-1-1989	REMODEL		0

TOTAL VALUES	The values shown in the Total Values section at the end of the Property Record Card are "Working Tax Roll" values, as our valuations proceed during the year. These Working Values are subject to change until the Notice of Proposed Taxes (TRIM) are mailed in mid-August. For Official Tax Roll Values, see the History of Values section above.
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The Volusia County Property Appraiser makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Land Value	378,235	New Construction Value	0
Building Value	112,430	City Econ Dev/Historic Taxable	0
Miscellaneous	10,320		
Total Just Value	500,985	Previous Total Just Value	713,273
School Assessed Value	500,985	Previous School Assessed	713,273
Non-School Assessed Value	500,985	Previous Non-School Assessed	713,273
Exemption Value	0	Previous Exemption Value	0
Additional Exemption Value	0	Previous Add'l Exempt Value	0
School Taxable Value	500,985	Previous Taxable	0
Non-School Taxable Value	500,985	Previous Non-School Taxable	713,273

Notice of Proposed Property Tax

Requires Adobe Reader



[Get the latest Adobe Reader](#)

MapIT PALMS

Map Kiosk

Parcel Notes

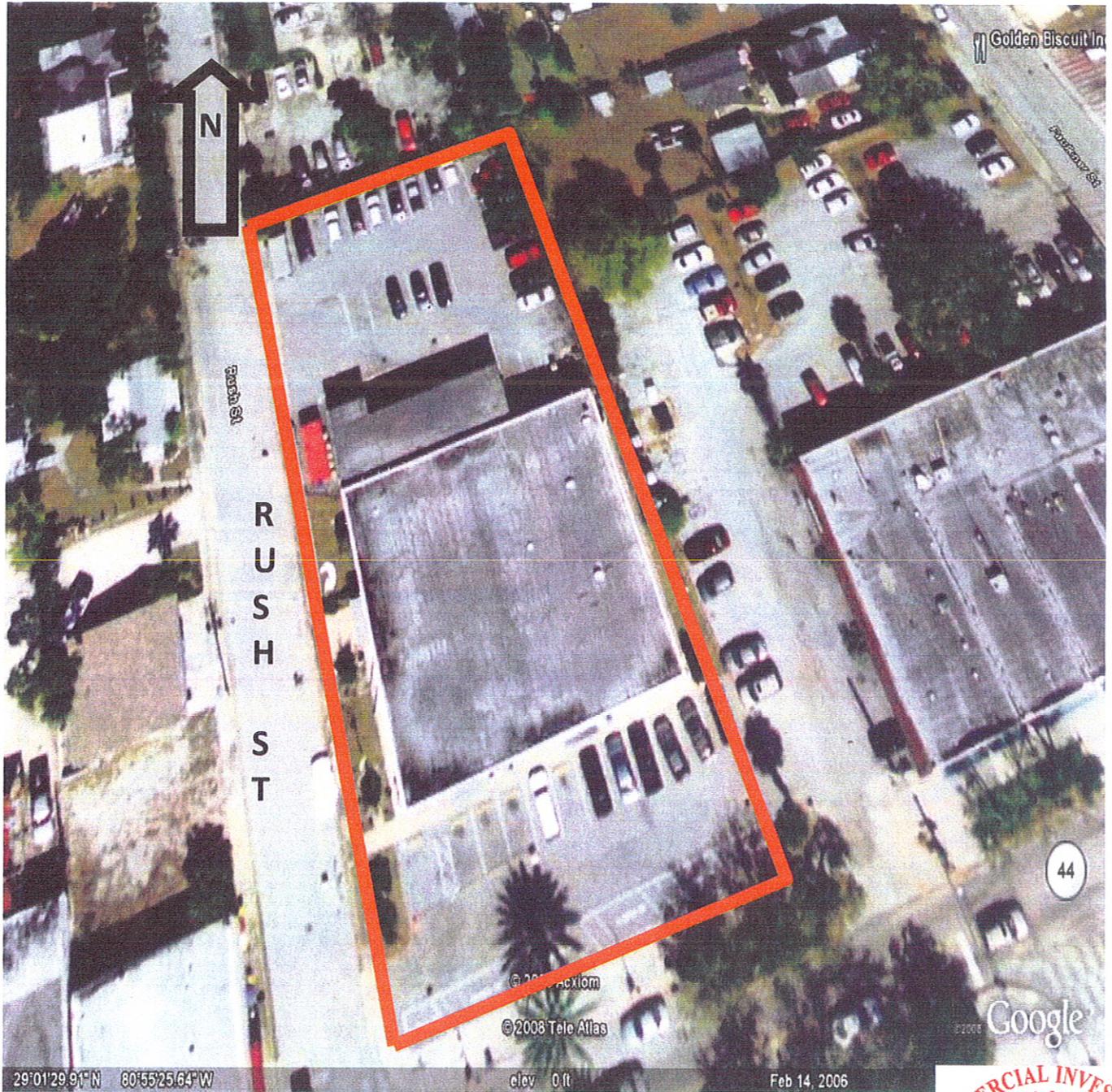
MapIT: Your basic parcel record search including sales.

PALMS: Basic parcel record searches with enhanced features.

Map Kiosk: More advanced tools for custom searches on several layers including parcels.



Aerial



MU, MIXED USE DISTRICT (CENTRAL BUSINESS DISTRICT)

Intent. The MU, Mixed Use District forms the metropolitan center for commercial, financial, professional, governmental, and cultural activities. Uses are permitted which require a central location convenient to the general citizenry and provide a supportive relationship to each other. Retail goods and services together with accommodations for tourists, transients, and permanent guests or tenants are permitted. Intermixing of business, professional, and multifamily for new residential uses permit people to live and work in or near the downtown area if they so desire.

Permitted uses.

- Advertising companies
- Apartments
- Appliance repair shops
- Art studios
- Attached dwelling
- Automobile sales and services, new and used
- Bakeries, nonmanufacturing
- Barber and beauty shops
- Bed and breakfast homes
- Business or stenographic schools and any similar office type use
- Ceramic shops
- Charm, etiquette and photographic studios
- Charter boat business
- Child day care centers
- Communication facilities, such as radio, television, telephone, and telegraph buildings
- Condominiums
- Convenience market with or without gas pumps
- Dancing establishments
- Delicatessens
- Drugstores and pharmacies
- Dry cleaning establishments
- Duplex residences
- Florists
- Funeral homes
- Game rooms for pool or billiards
- Gift shops
- Government buildings and offices
- Grocery stores
- Hardware stores
- Hobby/craft shops
- Hotels

Income tax services jewelry stores
Laboratories
Laundries, including self-service
Liquor stores
Men's and women's figure salons
Motels
Multifamily residential developments
Music
Newspaper offices and printing shops
Night clubs
Office and household equipment sales
Parking lots
Pawn shops
Pool rooms
Professional offices, including accountants, architects, consultants, dental, engineer, financial, insurance, lawyers, medical, and stockbrokers
Quick service food stores
Real estate brokers
Recreational buildings and complexes
Restaurants, type "A," "B," and "D"
Retail sales and services
Rooming houses
Schools with no more than 250 students
Service stations, types "A" and "B"
Shoe retail shops
Single-family residences
Tailor shops
Taverns
Taxicab and bus stands and terminals
Theaters
Tour boat business
Travel agencies
Truck and trailer rentals (for properties in the district that front along U. S. Highway 1 and meet the conditions in [sub]section 801.18
Upholstery shops
Videotape rental

Permitted accessory uses.

All those uses customarily associated with the permitted principal uses.

Concurrency Analysis Information:

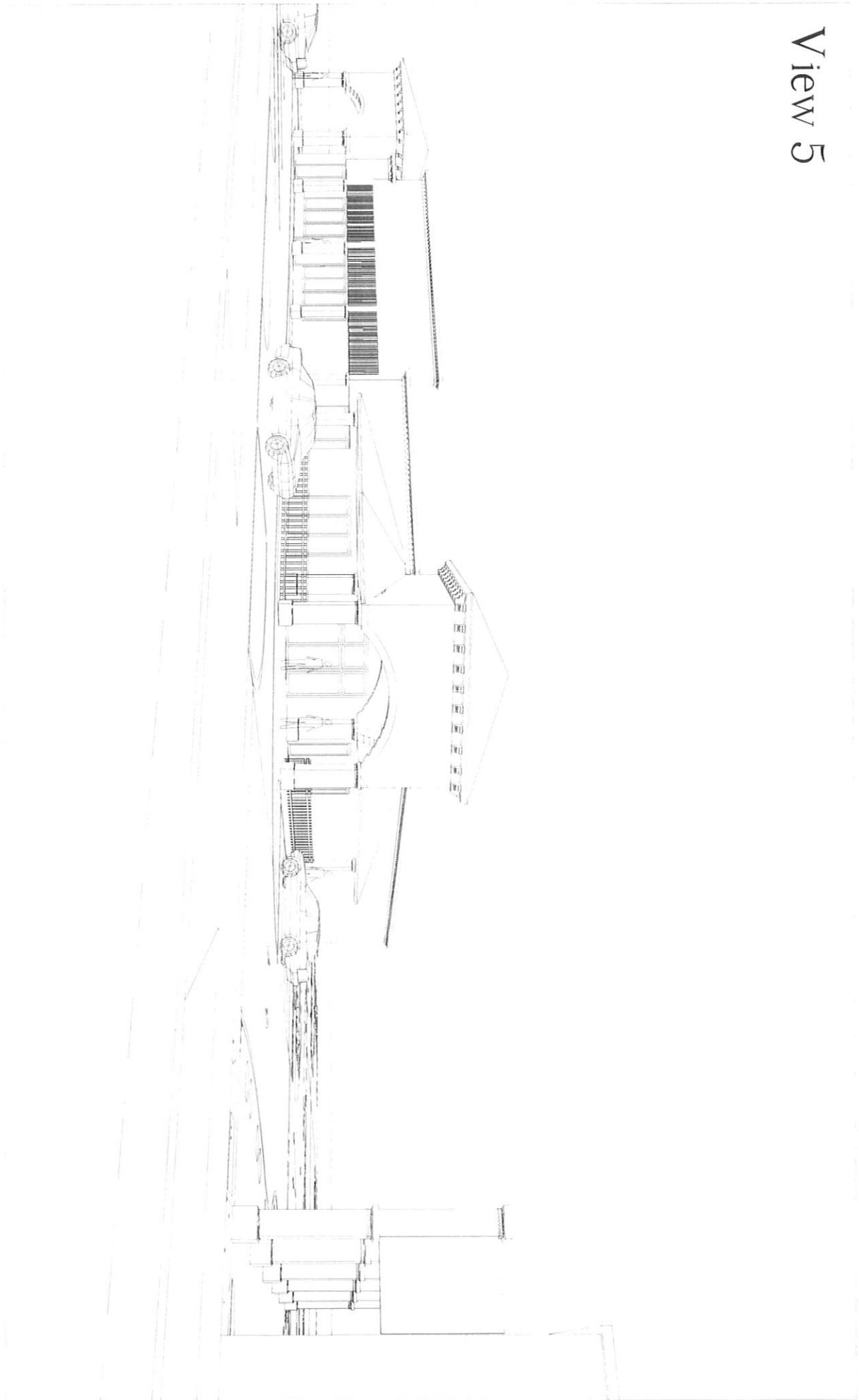
The building at 237, 239 Canal St. and 101 Rush St. (one building/former US Post Office) was built in 1967 and has 35 parking spaces (see 1989 approved site plan) and is in the CRA district.

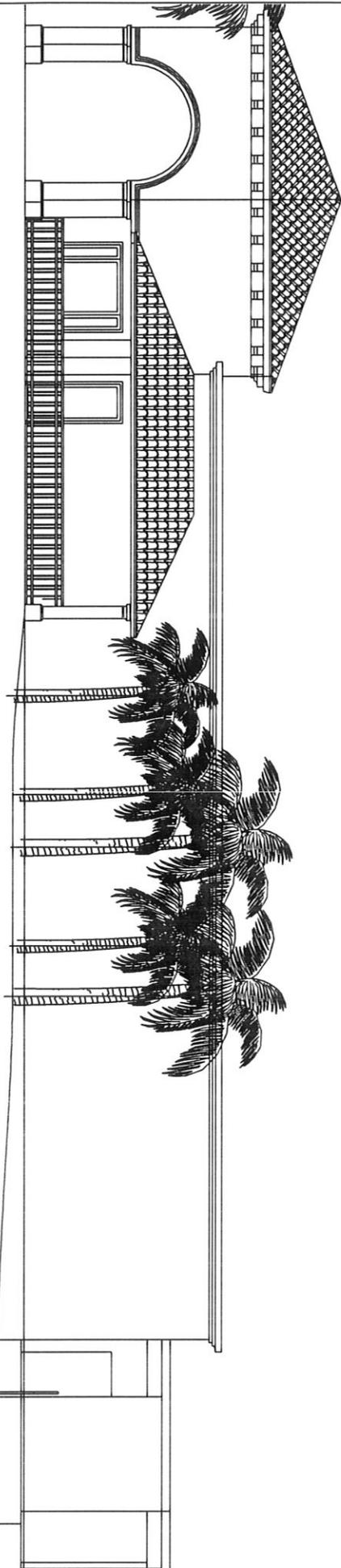
This site is proposed to be remodeled by owner starting in late 2011. The site is approximately 8970 square feet (sf) plus approximately 1616 sf of ramp and loading dock. The site also has two front ingress/egress openings and one large opening in the rear and has its own in-ground water retention in both parking lots. It is proposed to connect the rear parking lot with the owner's already existing parking lot to the east and the CRA lot to the north for improved traffic flow. No additional inside square footage is planned. Facade changes along with landscaping and parking lot improvements are part of the revitalization. Interior revitalization will include dividing the existing space into approximately four units of office and retail with a midsize (approx. 75 seats) restaurant on the southeast corner.

The site is considered a "Redevelopment Site" by the Utilities Commission (as per Randy Walter, UC) and therefore does not trigger any impact/infrastructure fees on water, sewer, or electric. The City Commission is proposing to suspend the Traffic Impact fee for much of the CRA district which includes this site (note August 13th CC meeting).

Having met with Gail Henrikson, NSB Chief Planner, in May 2011, it was discussed that the building (zoned MU) was suitable for this type of project including an acceptable distance from any school or church (ie. More than 300 feet).

View 5

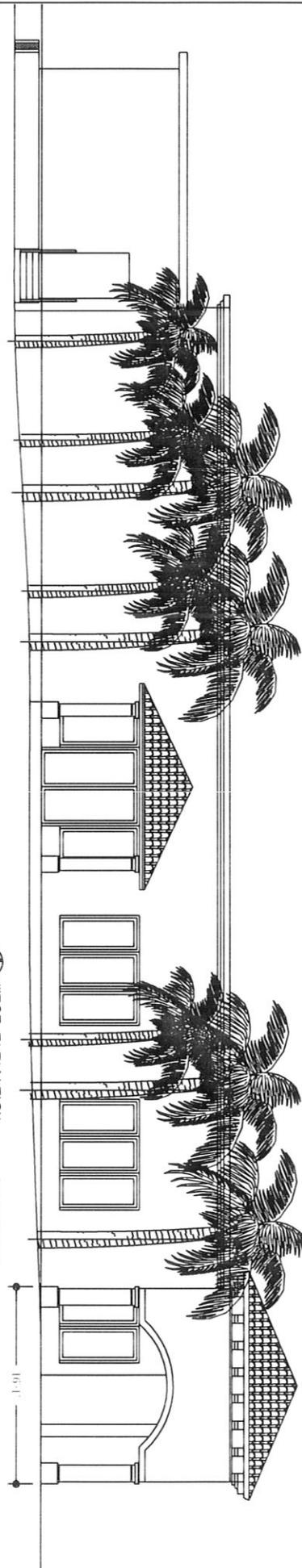




EAST ELEVATION

SCALE: 1/8" = 1'-0"

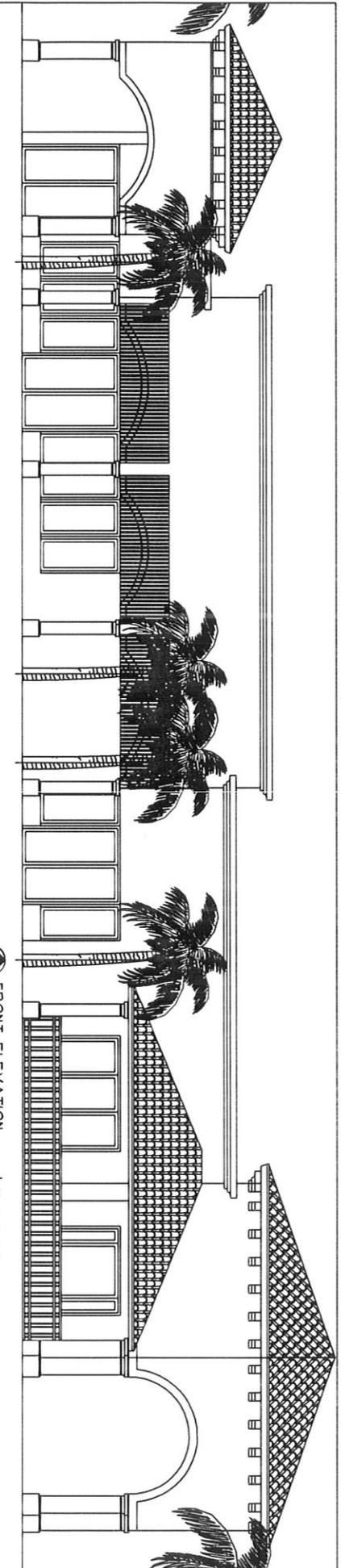
DESIGN DEVELOPMENT



WEST ELEVATION

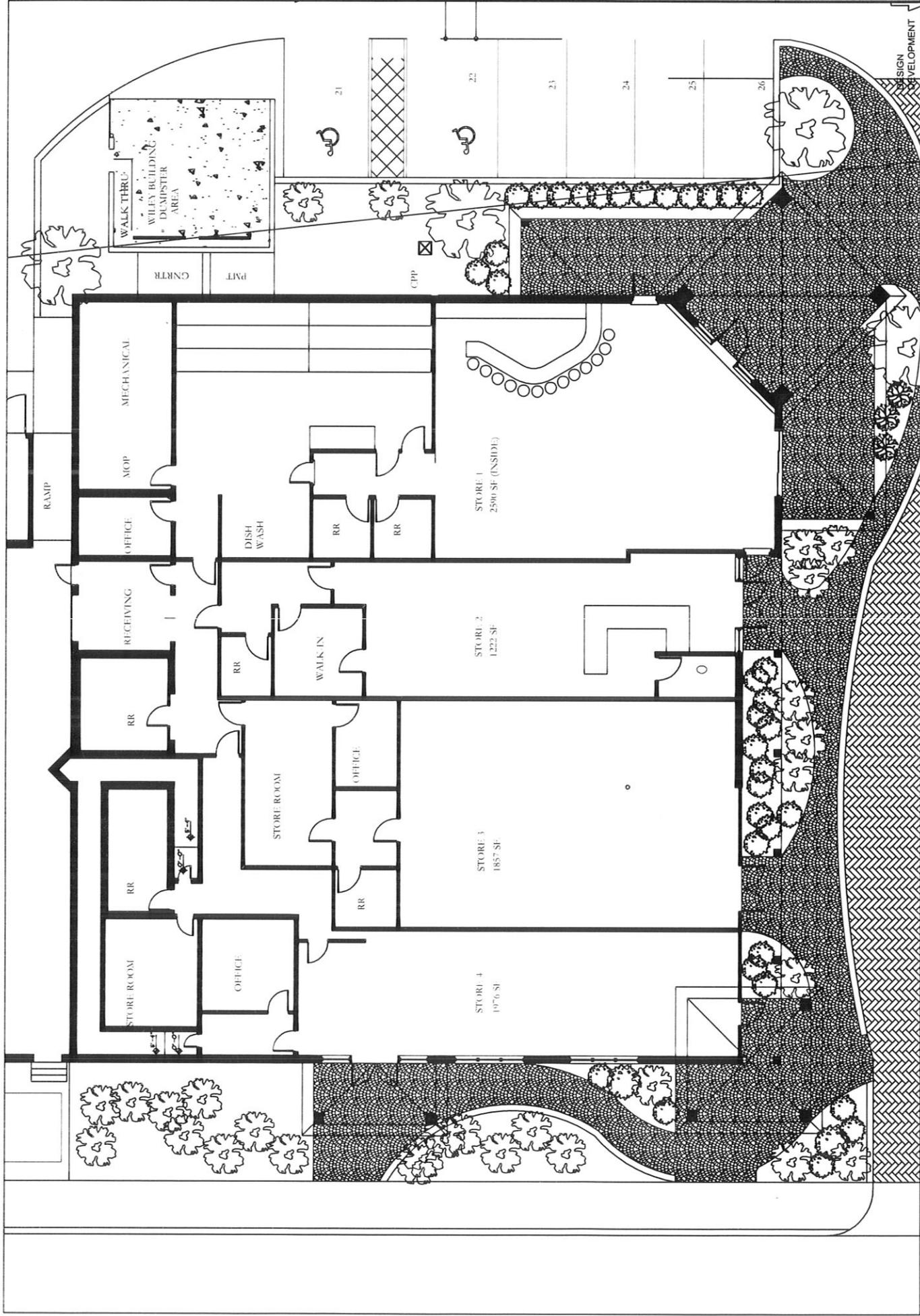
SCALE: 1/8" = 1'-0"

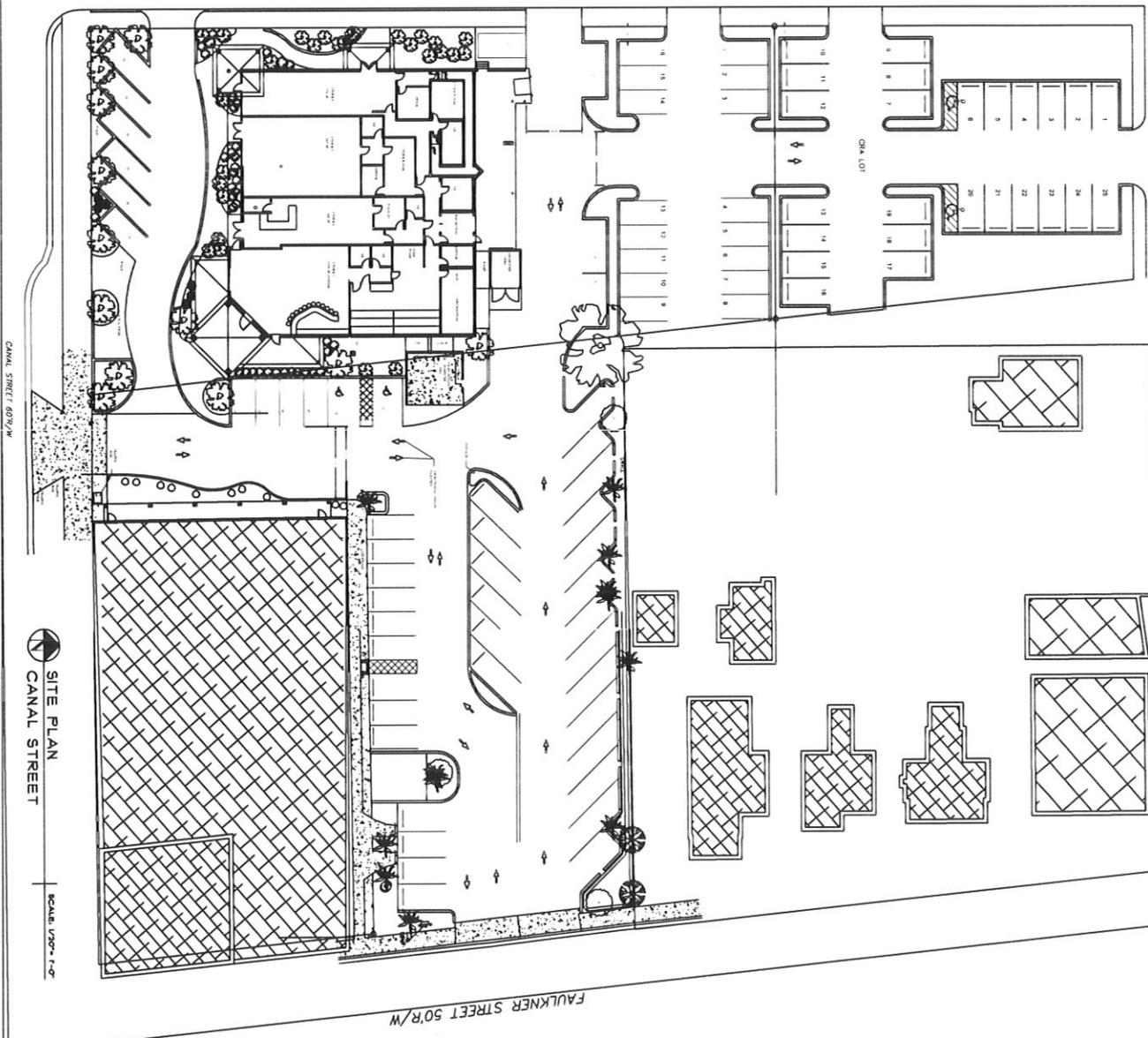
15'-1"



FRONT ELEVATION
CANAL STREET

SCALE: 1/8" = 1'-0"





 SITE PLAN
 CANAL STREET
 SCALE: 1/8" = 1'-0"

DESIGN DEVELOPMENT

DATE: 01/13/2018
 REVISIONS
 A1

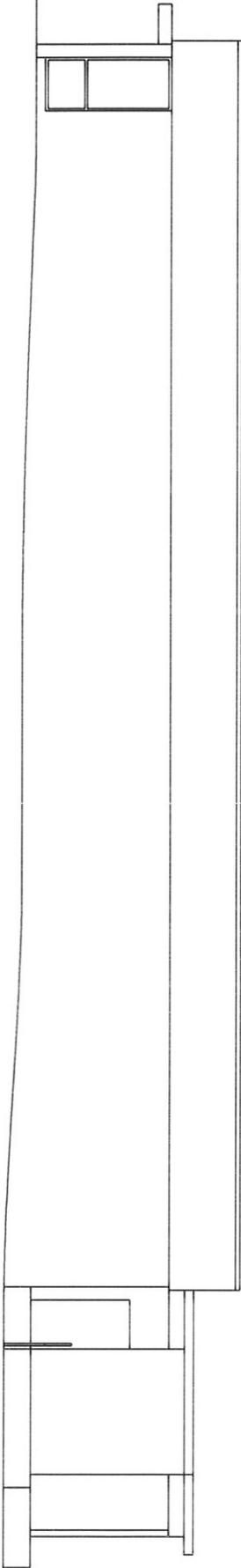
POST OFFICE
 358 CANAL STREET
 NEW SHYRNA BEACH, FLORIDA 32148

GERARD J. PENDERGAST
 120 CANAL STREET, NEW SHYRNA BEACH, FLORIDA 32148
 PH: (386) 427-8002 FAX: (386) 427-8017

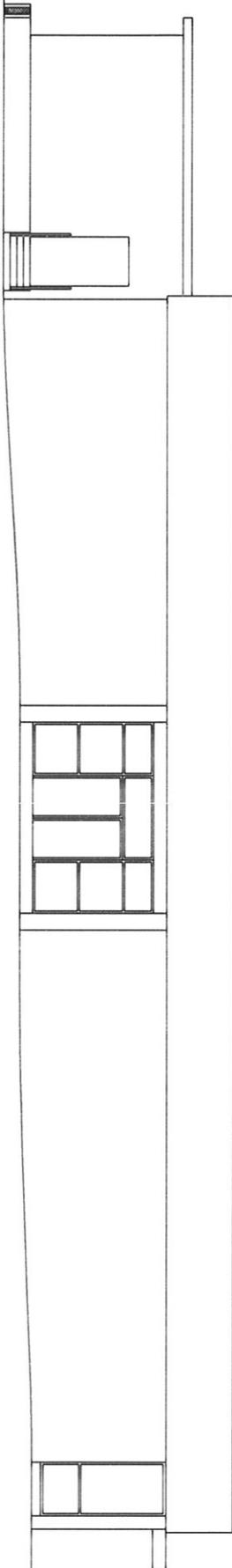
ARCHITECTURE/PLANNING
 AR 003441



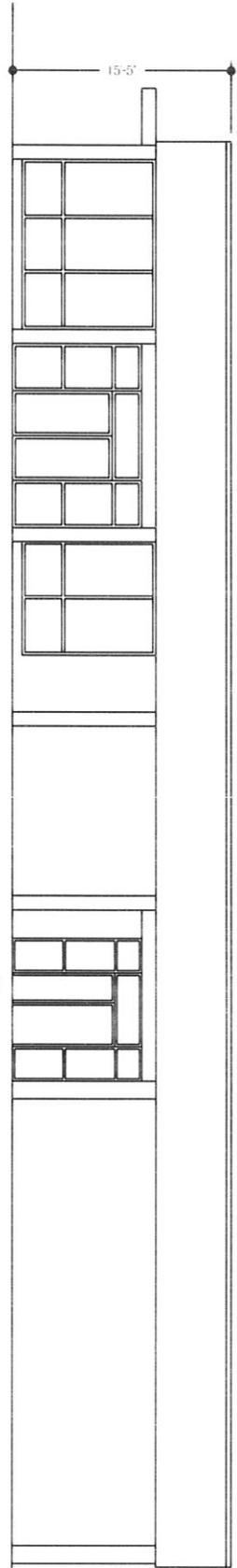
AS BUILT EAST ELEVATION | SCALE 1/4" = 1'-0"



AS BUILT WEST ELEVATION | SCALE 1/4" = 1'-0"



AS BUILT FRONT ELEVATION | SCALE 1/4" = 1'-0"



DESIGN
DEVELOPMENT

DATE: 04/13/2018
REVISIONS

A3

POST OFFICE
258 CANAL STREET
NEW SHYRNA BEACH, FLORIDA 32168

GERARD J. PENDERGAST
120 CANAL STREET, NEW SHYRNA BEACH, FLORIDA 32168
PH: (386) 427-5012 FAX: (386) 427-5011

ARCHITECTURE/PLANNING
AR 003441

237-239 CANAL ST. 101 RUSH ST. (FORMER PENNYSAVER-POST OFFICE)

After much research and consideration, I have devised a redevelopment plan for the Pennysaver-Post Office building. This plan would call for a two phase project and will allow the project to start much sooner and allow during construction time to solicit and select tenants thereby making for a more practical interior build-out. Both phases would be done with separate building permits with different scopes of works. See below for an outline of PHASE I and PHASE II.

PHASE I

SCOPE OF WORK: As per architect rendering, remodeling the South (front), the West (Rush St.) and East side facades. This would include the adjacent curved walkway next to the building including the pavers. Also included: Construction of both towers, Rush St. entry overhang with columns, porch construction, new glass storefronts, doorways, windows, electrical and lighting, plumbing, tile roofs (match next door), demo, stucco, painting (includes north side), construction fence, sign, clean-up, deck fencing, raising wall height and decorative edging, awnings, irrigation, landscape and trees, contractor, architect, engineering, impact (if any) and permit fees.

ESTIMATED COST: \$350,000

CONSTRUCTION TIMEFRAME: Start ASAP (November) approx. 4 months

GRANT ASSISTANCE REQUEST: Opportunity Grant 50/50 matching, actual (CRA verified) amount not to exceed \$175,000

PHASE II

SCOPE OF WORK: As per architect rendering (to be determined by future tenants) interior build-out including interior doors, walls, HVAC, bathrooms/plumbing, electric, natural gas, lighting, ceilings, flooring, and painting. Upgrade of outdated and unsightly electric pole (on east side) to underground pad-mount transformer. Relocate generator. Grease trap, exhaust hood, front (south) parking lot redesign, pavers, rear (north) parking lot redesign and connecting to the two adjacent lots as per rendering. Dumpster, demo, and trash removal, architect and engineering fees, landscape/irrigation, impact fees (if any), permit fees, and other misc costs related to Phase II and contractor fees for Phase II.

ESTIMATED COST: \$450,000

CONSTRUCTION TIMEFRAME: ASAP (after interior tenant design) approx.. 4 months

GRANT ASSISTANCE REQUEST: Opportunity Grant 50/50 matching, actual (CRA verified) amount not to exceed \$225,000.

ESTIMATED COST BREAKDOWN FOR PHASE I and PHASE II (Pennysaver building)

PHASE I

Cost per lineal foot based on same type construction on adjacent (east Wiley bldg..)masonry decorator columns, raising front and side walls with added decorator top edge, tile roof, roof dry- in to building, finished underneath, copper ends, pavers, electric, plumbing, stucco, paint, landscape and trees, irrigation, architect, engineering, dump and clean-up fees, misc contractor Phase I charges, permit/fees, contractor fee. Actual cost \$1280 per LF or \$75.00 SF

Pennysaver bldg. three sides total 210 LF x \$1280 LF = \$ 268800

Corner removal and support, concrete cuts for all openings including doors, windows, corner, lintel installed and poured = \$ 35,000

Glass storefronts including doors, windows, and awnings \$ 49500

TOTAL FOR PHASE I: \$ 353,300

PHASE II

Rear (north) parking build-out (using the same price per square foot the CRA paid on the adjacent lot next door 4 years earlier) includes lighting, trees, irrigation, signage of \$6.34 per SF/ New lot is 12600 SF x \$6.34/SF = \$79884

Front (south) and Rush St. parking lot is paved as per plan..includes curbing, trees and landscape, irrigation, and signage. 6000 SF x \$10 SF = \$ 60,000

Electric (outdated and unsightly) pole moved and replace with underground wiring and pad-mount transformer. Utilities Commission \$10535.89 + Harrison Electric \$ 17,339 = \$ 27874.89

Interior build-out as per plan includes walls (fire rated), doors, electric, plumbing, HVAC, flooring, ceiling, natural gas reconfiguration, lighting, grease trap, hood, painting, architect, engineering, misc contractor charges for Phase II related material/labor, dump and clean-up fees, permit/fees, contractor fee. 8800 SF x \$ 33.00 SF = \$290,400

TOTAL FOR PHASE II: \$ 458,158.89

CONTRACTOR SELECTION JUSTIFICATION

It is the intention of the owner, Robert Wiley, to use Contractor J. Brendel on the remodel/revitalization of the Penny saver building located at 237-239 Canal St. and 101 Rush St. (one building). He has unique knowledge of this property and has recently completed a very similar project on the adjacent property to the east.

Contractor Brendel has also agreed to discounted contractor fees and waived office administrative fees. Contractor Brendel has also agreed to waive fees on the electrical pole to pad mount change over as well as landscape and architectural and engineering fees. He also has agreed to waive fees on construction of the rear (north) parking lot and connection to the adjacent two lots.

Starting over with another contractor would not be timely, practical, or economically beneficial due to the extensive research for this project.

It is my intention to use many of the same subcontractors as the adjacent property project due to their knowledge and experience of this type/scope of project thereby creating as many local jobs as possible.

It is proposed to divide the project into two phases (Phase I and Phase II). This project is being divided so that the construction can commence thereby allowing potential tenants to see the actual exterior product while allowing for interior design to be more customized to their needs. Most new large scale projects are done this way as it is more practical. See the Phase I and Phase II breakdown.

J. Brendel Ent. Inc.

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

CONTRACTOR'S AGREEMENT FOR PHASE I AND PHASE II REMODEL 237-239 CANAL ST (PENNYSAVER)

Brendel Contractor agrees to remodel the former Pennysaver building at a discounted contractor fee of actual cost plus 13% on Phase I and Phase II as per architect plans. Brendel agrees to waive 13% fee on the following items: moving of electric pole to underground/ pad mount transformer by Harrison Electric and Utilities Commission, landscaping, rear parking lot redesign construction, architect, engineering, impact fees (if any) and permit fees. Brendel agrees to supply actual invoices itemized at time of construction draws for CRA verification if requested.

PHASE I: As per architect rendering, remodeling the South (front), the West (Rush St.) and East side facades. This would include the adjacent curved walkway next to the building including the pavers. Construction of both towers, Rush St. entry overhang and columns, porch construction, block and concrete work, structural support, concrete cutting, roof tie in to existing building, new glass storefront, doorways, windows, electrical and lighting, plumbing, tile roofs (matching next door), demo, stucco, painting (includes north side), elevation survey as needed, construction fence, project sign, clean-up and dump fees, deck fencing, raising wall height and decorative edging, awnings, irrigation, landscape and trees, misc. costs related to Phase I, contractor, architect, engineering, impact fee (if any-none anticipated at this time) and permit fees.

ESTIMATED COST: \$350,000

CONSTRUCTION TIMEFRAME: Start ASAP (November) approx.. 4months

PHASE II: As per architect rendering. (may change if tenant requirements are changed). If changed will resubmit before starting Phase II.

Interior build-out including walls, doors, HVAC, bathrooms/plumbing, concrete cutting and concrete replacement, masonry, electric, natural gas, lighting, ceilings, flooring and painting. Upgrade of outdated and unsightly electric pole (on east side) to underground pad-mount transformer. Relocate generator, grease trap, and exhaust hood, front (south) parking lot redesign, pavers, rear (north) parking lot redesign/construction and connecting the two adjacent parking lots as per rendering. Dumpster, demo, and trash removal, architect and engineering fees, landscape/irrigation, impact fees (if any-none anticipated at this time), permit fees and other misc. costs related to Phase II.

ESTIMATED COST: \$450,000

CONSTRUCTION TIMEFRAME: ASAP (after interior tenant design finalized) approx.. 4 months



J. Brendel, Contractor

Opportunity Grant

Robert Wiley

237-239 Canal Street and 101 Rush St.
New Smyrna Beach, FL 32168

Applicant Information

Robert Wiley
100 East Circle
New Smyrna Beach, FL 32169

Marlin7777@aol.com

386-690-4200 cell

386-423-4000 fax

Robert Wiley, Sole Proprietor

Experience on Similar Projects

Owner, property manager and developer of commercial property (15,000 sq.ft) located at 201-231 Canal Street and 100-114 Faulkner Street since 1979. During such time this included numerous building remodel and expansion projects. Also experience includes two previous restaurant startups and numerous speculative upscale residential homes and a multi residential unit project.

References for Similar Projects

Gerald J. Pendergast, Architect
Tony Otte, CRA Director
Claudia Soulie, CRA Administrative Assistant
James Brendel, Contractor
Kent Davis, Engineer

Jennings Insurance Agency

109 Magnolia Street
New Smyrna Beach, FL 32168

Phone 386-428-6448 Fax 386-427-7811

www.jenins.com

September 1, 2011

Bob Wiley
100 East Circle
New Smyrna Beach, FL 32169

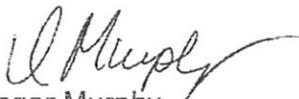
Re: Policy #BUO14047 & #BUO14049 , Bass Underwriters Inc.

Mr. Wiley,

Your property located at 237/239 Canal Street, New Smyrna Beach is currently insured under the above policy numbers for property and liability insurance. The above policies have been paid in full for the year. The policy runs from 7/13/11 to 7/13/12. If you should need increases in coverage or changes to the policies please contact me.

Thank you. We appreciate your business!

Sincerely,


Inger Murphy

We appreciate your business!

Regions Bank
1300 S. Atlantic Ave
New Smyrna Beach, Fl 32169
386-426-2207



August 31, 2011

Robert Wiley
100 East Circle
New Smyrna Beach, Fl 32169

To whom it may concern:

Robert Wiley has a line of credit with Regions bank . This line of credit was opened February 14, 2007 with an excellent pay history.

If you have any questions, please do not hesitate to call me at 386-426-2207. Thank you for allowing Regions to serve your financial needs.

Sincerely,

Paula C. Loschiavo
Assistant Branch Manager
Beachside Branch

Member FDIC.

Opportunity Grant

Robert Wiley

237-239 Canal Street and 101 Rush St.

New Smyrna Beach, FL 32168

Statement of Willingness

It is the intention of the property owner, Robert Wiley, to self finance this project.

If deemed necessary by the CRA, I agree to authorize the City of New Smyrna or CRA to review financial information and render an opinion of financial capability of applicant to develop and complete the project.

Robert Wiley, owner

REPORT ON

PHASE I ENVIRONMENTAL SITE ASSESSMENT
NEW SMYRNA BUREAU AND NEW SMYRNA PENNYSAYER
237/239 CANAL STREET
NEW SMYRNA BEACH, VOLUSIA COUNTY, FLORIDA

Submitted to:

*COBB & COLE
150 MAGNOLIA AVENUE
DAYTONA BEACH, FLORIDA 32115-2491*

Submitted by:

*Golder Associates Inc.
9833 Western Way, Suite 12
Jacksonville, Florida 32256*

DISTRIBUTION:

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2 Copies The News Journal Corporation
2 Copies Golder Associates Inc.

February 2006

053-2807

Golder Associates Inc.

8933 Western Way, Suite 12
Jacksonville, FL USA 32256
Telephone (904) 363-3430
Fax (904) 363-3445
www.golder.com



**PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT**

February 13, 2006

053-2807

Cobb & Cole, P.A.
150 Magnolia Avenue
Daytona Beach, Florida 32115

Attention: Mr. Christopher N. Challis, Esquire

**RE: PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT
NEW SMYRNA BUREAU AND NEW SMYRNA PENNYSAYER
237/239 CANAL STREET
NEW SMYRNA BEACH, VOLUSIA COUNTY, FLORIDA 32168**

Dear Mr. Challis:

Golder Associates Inc. (Golder) has completed a Phase I Environmental Site Assessment (ESA) for the referenced property (the "site"). During performance of the Phase I ESA, Golder did not identify recognized environmental conditions (REC's); however potential environmental concerns associated with an off-site facility was revealed. The findings of the Phase I ESA investigation are presented in the attached report.

If you have comments or questions regarding this report, please do not hesitate to contact us. Golder appreciates the opportunity to provide professional services to Cobb & Cole, P.A.

Sincerely,

GOLDER ASSOCIATES INC.

A handwritten signature in cursive script, appearing to read 'Mark J. Jordana'.

Mark J. Jordana, P.G.
Principal

Attachment



EXECUTIVE SUMMARY

Golder Associates Inc. (Golder) was retained by Cobb & Cole on behalf of the News Journal Corporation (News Journal) to perform a Phase I Environmental Site Assessment (ESA) of the property located at 237/239 Canal Street, New Smyrna Beach, Florida (the "subject property" or "site"). The Phase I ESA was conducted in general accordance with the ASTM guidance procedures entitled "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" (ASTM Designation E 1527-05) and the Standards and Practices for All Appropriate Inquiries; Final Rule as designated in 40 CFR Part 312.

The objective of the Phase I ESA was to provide a preliminary evaluation of the site and to identify recognized environmental conditions (RECs) at the site, as defined in ASTM E 1527-05. The phrase "recognized environmental conditions" means the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property."

To achieve the project objectives, the scope of services included a walk-through inspection of the subject property, walk- or drive-by inspection of adjoining and adjacent properties, a review of recent federal and state regulatory information and preparation of a final report. No sampling of soil, groundwater, or other potentially contaminated materials was conducted during the Phase I ESA. A summary of the findings of the assessment is presented below:

- Golder did not identify recognized environmental conditions associated with the site.
- The site consists of approximately 0.7 acres of commercial property improved with a one-story 8,970 square foot (ft²) building and associated parking improvements. Offices for the News Journal New Smyrna Bureau and Pennysaver newspapers occupy the building, including operations, sales and production offices.

- The site has been used for newspaper production since 1989. Dalton Carpet Finishing Company purchased the property in the mid 1960s and constructed the existing building, which was leased by the US Postal Service until 1988. Prior to the mid 1960s, the site was occupied by a residential home from at least 1906.
- A Phase I/II ESA report was prepared for the site in May 1997 by Remtech, Inc. The report included a summary of soil and groundwater sampling which was conducted to assess potential impacts from the former use of a heating oil UST on the east side of the site and potential impacts from an off-site automotive repair facility to the west. The results of the soil and groundwater did not reveal evidence of environmental impacts.
- One hydraulic dock lift was observed at the exterior loading dock, on the north side of the building. No staining was observed around the hydraulic piston during the Phase I ESA site visit.
- The facility maintains a natural gas-fueled emergency backup generator. The generator appeared in good condition.
- The site, currently owned by The News Journal Corporation is not identified on any federal, state, or local environmental databases that list facilities with potential environmental concerns.

Golder has identified the following potential environmental concerns at the subject property.

- According to the 1938 and 1962 Sanborn maps, a former retail petroleum fueling station occupied an adjacent (southeast) property, across Canal Street and down gradient, relative to the inferred groundwater flow direction. No records regarding this former facility were identified in other historical documents reviewed. Additionally, the former facility was not revealed in the regulatory database search. While petroleum releases are expected to naturally attenuate over time, the former existence of the retail petroleum fueling station in close proximity with unknown regulatory status is considered a potential environmental concern.

Opportunity Grant

Robert Wiley

227-239 Canal Street and 101 Rush Street
New Smyrna Beach, FL 32168

Statement of Vision of the Site and How It Relates to Surrounding Area

The proposed remodel of this opportunity site will be a significant step towards the revitalization of Canal Street. This centrally located project is adjacent to the prime intersection of Live Oak and Canal St. and one block from City Hall as well as the proposed development at the corner of Faulkner St. and Julia St. The Mediterranean design is intended to flow with the recently remodeled building to the east along with preserving the historical feel and charm of the street as well as bringing new potential visitors to Canal Street. By connecting the parking lots with the lot to the east and the CRA lot to the north it will make the parking and traffic flow much more inviting and practical. Heavy landscaping and pavers will create a warm feeling and encourage pedestrian traffic. By doing this anchor project it is our vision that it will inspire other property owners to continue to enhance other properties and businesses on Canal Street.

Soulie, Claudia

From: marlin7777@aol.com
Sent: Wednesday, September 28, 2011 10:08 AM
To: Soulie, Claudia; Otte, Tony
Subject: Bob Wiley 239 Canal St.

Claudia Soulie and Tony Otte, CRA

Consider this a statement from owner Robert Wiley, 239 Canal St., N.S.B., FL, that there have never been any legal proceedings: including criminal proceedings, arbitration demands, lawsuits, administrative hearings, hearings, bankruptcy, or default on any loan or financing agreements against said owner.

Sincerely, Robert Wiley, owner

Soulie, Claudia

From: Henrikson, Gail
Sent: Wednesday, September 28, 2011 11:42 AM
To: marlin7777@aol.com
Cc: Soulie, Claudia; Otte, Tony
Subject: RE: Bob Wiley

Bob:

It was a pleasure to meet with you and J. yesterday – the proposed drawings look great and will definitely improve the curb appeal of Canal Street.

Please consider this email as confirmation that Planning did not have any comments or identify any potential issues associated with the proposed improvements.

Please let me know if you have any questions or need any additional information.

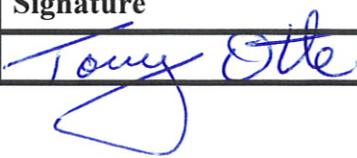
Gail

Gail Henrikson, AICP
Planning Manager
210 Sams Avenue
New Smyrna Beach, FL 32168
386.424.2134
386.424.2148 Fax

From: marlin7777@aol.com [mailto:marlin7777@aol.com]
Sent: Wednesday, September 28, 2011 9:45 AM
To: Henrikson, Gail
Subject: Bob Wiley

Hi Gail, Thanks for meeting with us yesterday-we are looking forward to getting started soon. ALSO: While we met with Tony Otte and Claudia (CRA) today, Tony asked me to request from you an email to him stating there are no zoning issues on our project as it was presented to you. I guess they call it a Concurrency Analysis. Thanks again, Bob Wiley

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Claudia Soulie		
Meeting Date: October 5, 2011		
Action Item Title: Review of "Flagler Avenue/Beachside Parking Inventory & Initiatives"		
Agenda Section: Consent _____ Public Hearing _____ Special Items <u> x </u>		
Summary Explanation and Background		
<p>One of the City Commission's "Top Ten Goals and Objectives for 2011" is to "Complete a Long Range Parking Plan for Flagler".</p> <p>Planning Department staff, CRA staff, and the City Manager have prepared a report entitled "Flagler Avenue/Beachside Parking Inventory and Initiatives". This report builds on the data that was collected by Glatting Jackson (now AECOM) during the development of the CRA Master Plan Update and includes short-term and long term initiatives for parking. The report will be the subject of a special meeting of the City Commission on Tuesday, October 11, 2011 at 5:30 pm in the City Commission Chambers, preceding the regular City Commission meeting at 6:30 pm.</p> <p>CRA staff will provide the report to CRA Commissioners as soon as it is available and will present the report at the CRA meeting. Staff requests discussion on this item and will forward recommendations to the City Commission.</p>		
Recommended Action/Motion:		
No action is required, but any recommendations from the CRA will be forwarded to the City Commission.		
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:		
The FY 2012 CRA budget allocates \$500,000 from the sale of the Florida Ave properties to be used for the Flagler Avenue Parking project. The report also recommends the establishment of a Parking Fund.		
Exhibits Attached:		
None. The "Flagler Avenue/Beachside Parking Inventory & Initiatives" report will be distributed under separate cover as soon as it is available.		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

REPORTS AND COMMUNICATIONS

CRA DIRECTOR'S REPORT

October 5, 2011

Announcements

- The City Commission will hold a Special Meeting on Tuesday, October 11 at 5:30 pm to discuss the report entitled “Flagler Ave/Beachside Parking Inventory and Initiatives”. CRA Commissioners are invited to attend.
- The cities of New Smyrna Beach and Edgewater, and the CRA are hosting a “Regional Economic Summit” on October 22. An information flyer is enclosed in the packet. The attendance is limited to 75 participants and the fee of \$25 includes lunch. The event will be held at New Smyrna Beach City Hall. CRA Commissioners are invited to attend.
- The presentation of the powerpoint report to the County Council is tentatively rescheduled for November 3.
- The Florida Redevelopment Association Annual Conference will be held from October 19-21 at the Hilton Orlando. Reservations need to be made for any CRA Commissioners who are interested in attending.
- The Historic Westside Community Meeting is held on the last Monday of every month at 6:15 pm at the Babe James Community Center. The next meeting will be Monday, October 24.

City Commission Items

- A summary of the September 13 and 27 City Commission meeting actions is attached.

Work Priorities

- Administrative Office Building Site – a surveyor has been hired to provide a boundary survey and additional information for this site. In addition, staff is preparing a plan for the use of this site. It is anticipated that improvements would be bid out at the same time as landscaping improvements along the N Causeway.
- Form Based Code – The final draft of this document is scheduled to be delivered within the next 120 days.
- Mary Ave Streetscape – work continues on schedule with estimated completion at the end of the calendar year.
- Brownfields:
 - The Dunn site – FDEP is revising its schedule for the decontamination site work, and CRA staff will present this information when the new schedule is made available. .
 - City staff continues to work with one of the environmental engineering firms to finalize the survey of potential Brownfield sites. There has been a developer inquiry into the former “Hi-Mart” gas station on West Canal Street. (That particular site is also under review as part of the new code enforcement effort by the Building Department staff.)

- City staff continues to explore possible opportunities for the two properties in the Downing Street, as well as several sites in the airport industrial park.
- Construction projects in design or in the bidding phase: Washington Street Streetscape Phase 1 (Anderson Dixon); Riverside Park Lighting (Quentin L. Hampton), Riverside Park Seawall (Quentin L. Hampton), Esther St Seawall (Tetra Tech), Esther Street Park and Stormwater (Parker Mynchenberg), and Flagler Boardwalk Seawall Project and Boardwalk Structure Modification (Quentin L. Hampton). Bids for Esther St and the Flagler Boardwalk are on this meeting's agenda.
- Myrtle Ave Streetscape: construction is underway. The CRA funded project will include new sidewalks, curbs, street re-surfacing, and landscaping, from W. Canal to Mary Ave. City funds are being contributed to continue the project further north to Enterprise Ave
- US 1 and Canal St intersection improvements and landscaping:
 - .It is anticipated that once the FDOT intersection improvement plans identify how much Right of Way (ROW) is needed for the intersection improvement projects (both north of W Canal and south of W Canal), Bellamo Herbert will revise their conceptual drawing for landscaping.
 - To follow-up the discussion at the September CRA meeting, staff has sent the map of the leased property on the South side of W Canal St to FDOT's design engineer to determine if that property will still be available after the intersection is improved. The plans call for W. Canal to be widened at that point.
 - The landscaped plan previously submitted for the leased FEC property has been located and further action is pending identification of the ROW need for the FDOT improvements.
 - FDOT plans to have a public meeting to discuss the current stage of plan development within the next 90 days. CRA staff will assist in notifying the Canal St merchants and other interested parties.
 - It is anticipated that City staff and FDOT will develop a "local funding program" to arrange for the CRA to pay for any design improvements in the "hardscape" features of the intersection improvements – such as special crosswalks and improved mast arm pole designs (similar to the traffic signal mast arm poles in downtown Deland), as well as special landscaping in the US 1 medians. This agreement will be brought to the CRA and City Commission for approval. CRA staff has been informed that any over-head "gateway" type features in the intersection are prohibited from having words (such as "Welcome to Canal Street") by FDOT regulations. Therefore CRA staff is not pursuing this type of feature at that location and will not include it in the "local funding program."
- Wayfinding – Bellamo Herbert and their sub-consultant, Shaughnessy Hart, are preparing the final sign designs for specific locations to present to FDOT for final approval. This phase of the work is anticipated to be complete in the next 30 days, and then the project will go out to bid.
- Banners and Icons–

- Marketing consultant Holly Smith is finalizing banner design. An icon for the Historic Westside is now being developed. At the September 26 Historic Westside Community Meeting it was decided to use a silhouette of the Black Heritage Museum at 314 N. Duss Street as the Historic Westside icon. In addition to banners, the icons for the four areas of the CRA (in addition to the Historic Westside icon, the palm tree for Canal St, surfer for Flagler Ave, and sand dollar for “South Beach” - Third Avenue) will be used on the “second tier” wayfinding signs for facilities such as parking lots.
- City staff is working with Utilities Commission (UC) staff to obtain approval for placing the banners on UC poles. As some poles are located in FDOT and County ROW, staff is following up with those jurisdictions as well.
- NSB Waterfront Loop website – a website developer has been hired to develop this website. It is anticipated that the website will be developed using a program that will allow CRA staff to maintain the website with current information. The launch of the website is timed to coincide with the placement of the billboard, which advertises the site.
- Arts District Overlay – this item will be reviewed in the next fiscal year.
- CIP – A Capital Improvements information spreadsheet is available on the City’s website, www.cityofnsb.com.
- Third Ave and S Peninsula Intersection – CRA staff will prepare options for landscaping at the Northeast corner of the intersection.
- Canal St – there are two new businesses (one opened, one preparing to open) on Canal St in buildings West of Orange Ave that received Commercial Property Improvement Grants this year.
- Votran Bus Stop – The City Commission will consider approval of moving the Votran Bus Stop from Christmas Park to the east side of Sams Ave just south of Julia St at the October 11 City Commission meeting.



**CITY OF NEW SMYRNA BEACH
CITY COMMISSION REGULAR MEETING
SUMMARY OF ACTION**

TUESDAY, SEPTEMBER 13, 2011 – 6:30 P.M.

**CITY COMMISSION CHAMBER, CITY HALL,
210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA**

I. Call to Order/Roll Call:

Mayor Barringer was absent.

II. Invocation/Pledge of Allegiance:

Police Department Chaplain William Chegwin will be present and give the invocation.

No action.

III. Approval of the Agenda:

City Manager Brangaccio advised the Commission of staff's movement of New Business Item A, Turnbull Bay Bridge Partnership – Consider the conceptual approval of a funding partnership with Volusia County for a temporary bridge on Turnbull Bay Road. Requested funding is \$100,000, to be incorporated with Consent Agenda Item A.

IV. Announcements/Presentations/Recognition:

- A. Volunteer Recognition/Dorothy Moore – Recognition of Dorothy “Dot” Moore for her valued service to local programs regarding historic preservation.

Vice Mayor Hathaway presented Ms. Moore with a plaque recognizing her valuable service to the City.

- B. Team Volusia – Mid-Year Report presentation by Team Volusia President and CEO Helen Cauthen.

Ms. Cauthen gave an overview of Team Volusia's newly launched website.

V. Mayor and Commission Reports:

No action.

VI. Consent Agenda (Approval of Minutes/Routine Resolutions):

- A. Resolution No. 38-11/Turnbull Bay Bridge – Adopt a resolution, which if adopted would request urgent support from the St. Johns River Water Management District to expedite the permitting process for the replacement of the Turnbull Bay Bridge. Also approve a funding partnership with Volusia County for a temporary bridge on Turnbull Bay Road. Requested funding is \$100,000.

Resolution No. 38-11 was adopted per staff's recommendation. Also approved entering into a funding partnership with Volusia County for funding, up to \$100,000, in support of a temporary bridge on Turnbull Bay Road.

- B. Change Order No. 18/Public Safety Project – Approve Change Order No. 18, in the amount of \$7,079.80 and payable to APM Construction Corporation for additions to work associated with the public safety project.

Approved per staff's recommendation.

- C. Capital Improvement Project Manager Position – Approve the addition of a contractual position titled Capital Improvement Project Manager to assist with various capital projects. If approved, the position will be funded (50-50) by the CRA and General Fund.

Approved per staff's recommendation.

- D. Lease Extension/Historical Home at Pettis Park – Approve the extension/modifications to the existing lease agreement with the Black Heritage Festival of New Smyrna, Inc., for the historical “shot-gun house” museum to continue to locate at the Northeast corner of Pettis Park.

Approved per staff's recommendation.

- E. Contract Agreement Renewal/Southeast Volusia Humane Society – Approve the renewal of the contract agreement with the Southeast Volusia Humane Society, for the period October 1, 2011 through September 30, 2012.

Approved per staff's recommendation.

- F. Large Grant Award Amendment and Construction Start Date Extension/107 North Riverside Drive – The Dolphin View Restaurant – Approve amending the original grant award from \$32,993.62 to \$50,000 and the extending of the established construction beginning date from September 28, 2011 to December 27, 2011 for property at 107 North Riverview Drive (The Dolphin View Restaurant).

Approved per staff's recommendation with Vice Mayor Hathaway abstaining.

- G. Commercial Property Improvement Grant/201 South Orange Street – Church of the Nazarene – Approve the award of a commercial property improvement grant, in the amount of \$600 to the Church of the Nazarene at 201 South Orange Street.

Approved per staff's recommendation.

- H. CRA Grants and Aid Guidelines – Approve proposed amendments to the existing guidelines for CRA Grants and Aid in order to clarify language regarding future single event applications.

Approved per staff's recommendation.

- I. Environmental Assessments/1000 and 1010 Canal Street – Approve task orders submitted by the firm Kimley-Horn for the conduct of environmental assessments on properties at 1000 and 1010 Canal Street, at a cost of \$34,372 for each property, funded by the Brownfield Assessment Grant.

Approved per staff's recommendation.

- J. Special Event/3rd Annual Chili and Chaps Event – Approve the conduct of the 3rd Annual Chili and Chaps Event on Saturday, October 15, 2011 from 12 noon to 5 pm, hosted by the Flagler Hospitality Group. Further approve the street closure of Flagler Avenue from Pine Street to Atlantic Avenue from 11 am to 6 pm.

Approved per staff's recommendation.

- K. Special Event/37th Annual Halloween Parade – Approve the conduct of the 37th Annual Halloween Parade event on Monday, October 31, 2011 from 4 to 6:30 pm, hosted by the Parks and Recreation Department. Further approve the requested street closure of Canal Street from Orange Street to Riverside Drive from 3 to 7 pm.

Approved per staff's recommendation.

- L. Special Event/21st Annual Flamingo Follies Holiday Art Show – Approve the conduct of the 21st Annual Flamingo Follies Holiday Art Show event on Saturday and Sunday, November 12 and 13, 2011 from 9 am to 5 pm daily, hosted by the Parks and Recreation Department. Further approve the requested street closure of Flagler Avenue from Peninsula Avenue to Buenos Aires Avenue from 3 am Saturday to 7 pm Sunday.

Approved per staff's recommendation.

VII. Ordinances – Second Reading and Public Hearings:

- A. Ordinance No. 73-11/Firearms Regulations – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the City Code to conform to Florida Statutes (State Preemption of Firearms Regulations).

Adopted per staff's recommendation.

- B. Ordinance No. 75-11/Budget Amendment – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend Ordinance Nos. 40-10, 61-10, 65-10, 03-11, 17-11, 26-11, 36-11 and 56-11, current expenses and capital outlay required by the City of New Smyrna Beach, during and for the fiscal year beginning October 1, 2010, and ending September 30, 2011.

Adopted per staff's recommendation.

- C. Ordinance No. 76-11/Sidewalk Account – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the Land Development Regulations, by establishing a sidewalk account.

Adopted per staff's recommendation.

- D. Ordinance No. 77-11/Boat Slip Allocations – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the Land Development Regulations, by defining and establishing a new section regarding boat slips.

Adopted per staff's recommendation.

- E. Comprehensive Plan Amendment No. A-7-11/Salomone/Bolton Road – Conduct the second reading and public hearing of ordinances, which if adopted, would annex, change land use and rezone approximately 0.387 acres located north of Eslinger Road and southwest of the intersection of Bolton Road and Magnolia Drive.

1. Ordinance No. 78-11 – An ordinance, which if adopted, would annex approximately 0.387 acres located north of Eslinger Road and southwest of the intersection of Bolton Road and Magnolia Drive into the corporate boundaries of the City of New Smyrna Beach.

Adopted per staff's recommendation.

2. Ordinance No. 79-11 – An ordinance, which if adopted, would change land use of annexed property from Volusia County Urban Low Intensity designation to City Low Density Residential land use designation.

Adopted per staff's recommendation.

3. Ordinance No. 80-11 – An ordinance, which if adopted, would rezone annexed property from Volusia County Urban Single Family Residential (R-4) to City Single Family Residential District (R-2) zoning district.

Adopted per staff's recommendation.

- F. Comprehensive Plan Amendment No. A-11-11/Schwoerer/Otter Boulevard – Conduct the second reading and public hearings of ordinances, which if adopted, would annex, change land use and rezone approximately 5.0 acres located west of Otter Boulevard, south of Pioneer Trail and north of S.R. 44.

1. Ordinance No. 81-11 – An ordinance, which if adopted, would annex approximately 5.0 acres located west of Otter Boulevard, south of Pioneer Trail and north of S.R. 44 into the corporate boundaries of the City of New Smyrna Beach.

Adopted per staff's recommendation.

2. Ordinance No. 82-11 – An ordinance, which if adopted, would change land use of annexed property from Volusia County Urban Medium Intensity designation to City Low Density Residential land use designation.

Adopted per staff's recommendation.

3. Ordinance No. 83-11 – An ordinance, which if adopted, would rezone annexed property from Volusia County Urban Single Family Residential (R-4) to City Single Family Residential District (R-1) zoning district.

Adopted per staff's recommendation.

- G. Comprehensive Plan Amendment No. A-6-11/Freeman/Canal Street – Conduct the second reading and public hearing of ordinances, which if adopted, would annex, change land use and rezone approximately 0.57 acres located at the southwest corner of the intersection of Canal Street and Ingham Road.

1. Ordinance No. 84-11 – An ordinance, which if adopted, would annex approximately 0.57 acres located at the southwest corner of the intersection of Canal Street and Ingham Road. Into the corporate boundaries of the City of New Smyrna Beach.

Adopted per staff's recommendation.

2. Ordinance No. 85-11 – An ordinance, which if adopted, would change land use of annexed property from Volusia County Commercial designation to City Commercial land use designation.

Adopted per staff's recommendation.

3. Ordinance No. 86-11 – An ordinance, which if adopted, would rezone annexed property from Volusia County Heavy Commercial (B-5) to City Highway Service Business (B-3) zoning district.

Adopted per staff's recommendation.

- H. Comprehensive Plan Amendment No. A-8-11/Stewart/Bolton Road – Conduct the second reading and public hearing of ordinances which if adopted, would change land use and rezone approximately 0.45 acres located east of Bolton Road and south of Magnolia Drive.

1. Ordinance No. 87-11 – An ordinance, which if adopted, would annex approximately 0.45 acres located east of Bolton Road and south of Magnolia Drive into the corporate boundaries of the City of New Smyrna Beach.

Adopted per staff's recommendation.

2. Ordinance No. 88-11 – An ordinance, which if adopted, would change land use of annexed property from Volusia County Urban Low Intensity designation to City Low Density Residential land use designation.

Adopted per staff's recommendation.

3. Ordinance No. 89-11 – An ordinance, which if adopted, would rezone annexed property from Volusia County Urban Single Family Residential (R-4) to City Single Family Residential District (R-2) zoning district.

Adopted per staff's recommendation.

- I. Comprehensive Plan Amendment No. A-9-11/Wharton/Bolton Road – Conduct the second reading and public hearing of ordinances, which if adopted, would annex, change land use and rezone approximately 0.42 acres located east of Bolton Road and south of Magnolia Drive.

1. Ordinance No. 90-11 – An ordinance, which if adopted, would annex approximately 0.42 acres located east of Bolton Road and south of Magnolia Drive into the corporate boundaries of the City of New Smyrna Beach.

Adopted per staff's recommendation.

2. Ordinance No. 91-11 – An ordinance, which if adopted, would change land use of annexed property from Volusia County Urban Low Intensity designation to City Low Density Residential land use designation.

Adopted per staff's recommendation.

3. Ordinance No. 92-11 – An ordinance, which if adopted, would rezone annexed property from Volusia County Urban Single Family Residential (R-4) to City Single Family Residential District (R-2) zoning district.

Adopted per staff's recommendation.

- J. Comprehensive Plan Amendment No. A-10-11/Weaver/Bolton Road – Conduct the second reading and public hearing of ordinances, which if adopted, would annex, change land use and rezone approximately 0.25 acres located west of Bolton Road and south of Magnolia Drive.

1. Ordinance No. 93-11 – An ordinance, which if adopted, would annex approximately 0.25 acres located west of Bolton Road and south of Magnolia Drive into the corporate boundaries of the City of New Smyrna Beach.

Adopted per staff's recommendation.

2. Ordinance No. 94-11 – An ordinance, which if adopted, would change land use of annexed property from Volusia County Urban Low Intensity designation to City Low Density Residential land use designation.

Adopted per staff's recommendation.

3. Ordinance No. 95-11 – An ordinance, which if adopted, would rezone annexed property from Volusia County Urban Single Family Residential (R-4) to City Single Family Residential District (R-2) zoning district.

Adopted per staff's recommendation.

VIII. Public Participation:

No action.

IX. Ordinances – First Reading:

- A. Ordinance No. 02-11/Platted Lots – Conduct the first reading of an ordinance, which if adopted, would amend the *Land Development Regulations* to consider as buildable, any lot platted as part of a recorded subdivision providing that zoning district requirements are met. At its meeting on December 6, 2010, the Planning and Zoning Board unanimously recommended approval of the proposed ordinance.

Approved on first reading. The second reading and final public hearing was scheduled for the regular meeting on October 11, 2011. Staff directed to provide updated maps and examples of how adoption of the proposed ordinance would impact other types of lots throughout the City.

- B. Ordinance No. 96-11/1st Amendment to the South Village PUD Master Development Agreement – Conduct the first reading of an ordinance, which if adopted, would amend and restate the South Village Planned Unit Development (PUD) Master Development Agreement with South Village Developers, LLC, for approximately 1,363 acres located south of State Road 44, east of Hunting Camp Road and west of I-95. At its meeting held August 1, 2011, the Planning and Zoning Board, acting as local planning agency, unanimously recommended adoption of the proposed ordinance.

Approved on first reading. The second reading and final public hearing was scheduled for the regular meeting on September 27, 2011 with amendments as outlined by staff.

X. Administrative Items/New Business:

No action.

XI. Boards and Commissions:

- A. Historic Preservation Commission – Consider the automatic removal of Allene Teague, as a member of the Historic Preservation Commission, due to excessive absences, under the provisions of Section 2-86, *City Code of Ordinances*.

Allene Teague removed as a regular member.

XII. City Manager's Report:

No action.

XIII. City Clerk's Report:

No action.

XIV. City Attorney's Report:

No action.

XV. Adjournment:

8:35 p.m.

The foregoing summary of action is a true and accurate record of action taken by the New Smyrna Beach City Commission at its regular meeting on September 13, 2011, pending approval of the official minutes of the meeting.

Johnny R. Bledsoe, CMC, City Clerk



**CITY OF NEW SMYRNA BEACH
CITY COMMISSION REGULAR MEETING
SUMMARY OF ACTION
TUESDAY, SEPTEMBER 27, 2011 – 6:30 P.M.**

**CITY COMMISSION CHAMBER, CITY HALL,
210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA**

I. Call to Order/Roll Call:

II. Invocation/Pledge of Allegiance:

Police Department Chaplain Peter Carter, Jr. will be present and give the invocation.

No action.

III. Approval of the Agenda:

The second reading and final public hearing for Ordinance No. 68-11 (Tattoo Parlors) was removed from the agenda and rescheduled for consideration at the regular meeting October 11, 2011.

IV. Announcements/Presentations/Recognition:

- A. James Moore and Company/Municipal Golf Course – A presentation by the City auditing firm, to address the current status of the municipal golf course ability to repay a past loan from the City.

Approved the transfer of approximately \$2.75 million from municipal golf course assets to the general fund; approved holding the note for approximately \$750,000 representing the remaining balance owed the general fund by the municipal golf course; approved the classification of both municipal golf course and marina as enterprise funds.

V. Mayor and Commission Reports:

No action.

VI. Consent Agenda (Approval of Minutes/Routine Resolutions):

- A. Resolution No. 39-11/Fund Balance Policy – Adopt a resolution amending existing policy regarding the defining of fund balances managed by the finance department.

Adopted per staff's recommendation.

- B. Amendment to Purchasing Policies and Procedures – Approve proposed amendments to the existing City Purchasing Policies and Procedures.

Approved per staff's recommendation.

- C. Non-Bargaining Employee Policy Changes – Approve the non-bargaining employee policy changes for fiscal year 2011/2012, which include no salary increases; suspension of longevity payments and cash-in of personal leave; and, the addition of two personal days for fiscal year 2011/2012 only.

Approved per staff's recommendation.

- D. Blanket Purchase Orders/FY 2011/2012 – Approve the proposed blanket purchase orders that exceed \$25,000, for the fiscal year ending September 30, 2012.

Approved per staff's recommendation.

- E. Bad Debt Write-Off – Approve staff's recommendation to write off \$4,925.24 of general fund accounts receivable balances that are not collectible and should be classified as bad debt, for fiscal year 2010/2011.

Approved per staff's recommendation.

- F. Bid Award/South Orange Street Drainage Improvements Project – Approve the bid award for the South Orange Street Drainage Improvements Project to Masci Corporation for an amount not to exceed \$284,699.40.

Approved per staff's recommendation.

- G. CRA Grant/Merchants of Flagler Hospitality Group – Approve the award of a grant in the amount of \$62,175 from the CRA to the Flagler Hospitality Group, for the fiscal year ending September 30, 2012. If approved, the grant would be funded through the CRA Grants and Aids Program.

Approved per staff's recommendation.

- H. Change Order No. 4/Mary Avenue Streetscape Project – Approve Change Order No. 4 to the Mary Avenue Streetscape Project in the amount of \$15,710.63, payable to Masci Corporation in order to fund seven changes to subject project.

Approved per staff's recommendation.

- I. System Maintenance Agreement – Approve entering into a renewal agreement with Harris Corporation for system maintenance of mobile and portable radios assigned to the police department at a budgeted cost of \$15,045.

Approved per staff's recommendation.

- J. Volusia County Mosquito Control Lease Renewal – Approve a five-year extension of the existing lease with the Volusia County Mosquito Control Department for its utilization of City property at 801 South Street, in support of operations. Further request appraisal requirement be waived and annual lease payment remain at the existing amount of \$54,900.

Approved per staff's recommendation.

- K. Acceptance of Promissory Note/Past Due Lease Payments – Approve the acceptance of a promissory note from Epic Aviation, Inc. for repayment of past due lease payments of \$73,896.11, at a rate of \$2,050 monthly for 36 months, less interest.

Approved per staff's recommendation.

- L. Fuel Service Agreement/Municipal Airport – Approve entering into a fuel service agreement with Wilkinson Aviation, Inc. for aviation fuel service operations at the municipal airport

Approved per staff's recommendation.

- M. Purchase of Property/1070 South Glencoe Road – Approve the purchase of 0.228 acres, characterized as "Gap" property located at 1070 South Glencoe Road, for the amount of \$2,775.92.

Approved per staff's recommendation.

N. Special Events Committee Recommendations – Approve the following special event applications as submitted by the Special Events Committee with approval of each event recommended with associated street closures:

1. Special Event/2nd Annual Blues Festival – Approve the conduct of the 2nd Annual Blues Festival event on Saturday October 29, 2011 from 10 am to 10 pm, hosted by Michael Lopez Productions/South Star Productions. Further approve the requested street closure of Buenos Aires between the south side of Wild Sides and south side of the Fish House; the partial closure of the Flagler Parking Lot between the south side of Wild Sides and the south side of the Fish House, from 7 am Saturday, October 29, 2011 to 6 am Sunday, October 30, 2011.

Approved per staff's recommendation.

2. Special Event/Annual Ed Root 5K/10K Run – Approve the conduct of the Annual Ed Root 5K/10K Run on Saturday December 3, 2011 from 8 am to 10:30 am, hosted by the Parks and Recreation Department. Further approve the requested street closure of Pine Street at Flagler Avenue near the shuffle board court and the performance of a rolling barricade for the run only stopping traffic for the runners to pass by.

Approved per staff's recommendation.

3. Special Event/Annual Christmas Parade – Approve the conduct of the Annual Christmas Parade Run on Saturday December 3, 2011 from 4 pm to 6 pm, hosted by the Parks and Recreation Department. Further approve the requested street closures along the parade route and associated traffic control.

Approved per staff's recommendation.

4. Special Event/50th Annual Art Fiesta – Approve the conduct of the 50th Annual Art Fiesta on Friday February 24, 2012 and Saturday February 25, 2012 from 9 am to 5 pm each day, hosted by the Parks and Recreation Department. Further approve the requested street closures of Julia Street from Riverside Drive to Faulkner Street and Sams Avenue from Washington Street to Canal Street from 6 am Friday to 8 pm Sunday, February 26, 2012.

Approved per staff's recommendation.

VII. Ordinances – Second Reading and Public Hearings:

- A. Ordinance No. 68-11/Tattoo Parlors – Conduct the second of two required public hearings of an ordinance, which if adopted, would amend the *Land Development Regulations* to establish regulations regarding the establishment of tattoo parlors within the I-2 zoning district.

No action. Public hearing rescheduled for the regular meeting on October 11, 2011.

- B. Ordinance No. 96-11/1st Amendment to the South Village PUD Master Development Agreement – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend and restate the South Village Planned Unit Development (PUD) Master Development Agreement with South Village Developers, LLC, for approximately 1,363 acres located south of State Road 44, east of Hunting Camp Road and west of I-95.

Adopted as amended by staff.

- C. Ordinance No. 99-11/U.C. Budget – Conduct the second reading and public hearing of an ordinance, which if adopted, would approve the annual budget for the Utilities Commission, City of New Smyrna Beach for fiscal year ending September 30, 2012.

Adopted as submitted by the Utilities Commission.

VIII. Public Participation:

No action.

IX. Ordinances – First Reading:

No action.

X. Administrative Items/New Business:

- A. Resolution No. 40-11/Suspension of Transportation Impact Fees – Consider the adoption of a resolution suspending the imposition of transportation impact fees for non-residential construction permitted before December 31, 2011 and constructed before December 31, 2012.

Adopted as amended to allow for non-residential construction permitted before December 31, 2012 and constructed before December 31, 2013, with police and fire service fees to be addressed separately.

- B. CRA Large Grant Program Boundaries – Consider approval of the expansion of the CRA Large Grant Program boundaries from the existing boundaries that include Flagler Avenue, Canal Street and the Historic Westside, predominately, to include all properties within the boundaries of the entire CRA.

Approved per staff's recommendation.

- C. CRA Large Grant Award/545 Washington Street – Consider approval of the award by the CRA, of a large grant in the amount of \$50,000 for improvements to property at 545 Washington Street in order to convert a condemned house into a habitable living structure.

No action. Staff directed to resubmit for consideration, at a future meeting if/when the Planning and Zoning Board approves a site plan.

- D. Update of CRA Opportunity Site List – Consider approval of an amendment of the CRA Opportunity Site List to add property at 177 North Causeway, and authorize staff to assist applicant in applying for an opportunity site grant award.

Approved per staff's recommendation.

- E. Chamber of Commerce Building Renovation/Phase II – Consider approval of interior improvements that represent Phase II of the Chamber of Commerce Building Renovation Project for a cost not to exceed \$200,000, as funded through the CRA.

Approved per staff's recommendation.

XI. Boards and Commissions:

- A. Sports Complex Task Force – Appoint five members to serve on the Sports Complex Task Force for a temporary six-month term from October 1, 2011 to March 31, 2012.

Amended Resolution No. 36-11 to allow for eight (8) members to the Sports Complex Task Force.

Appointed Max Dugas, James Haynes, Sr., Kenny Kane, Lionel Long, PhD., Mark Pernel, Sid Peterson, Jr., Robert Wall and R. Alan Weaver, as members of the Sports Complex Task Force to serve temporary six-month terms from October 1, 2011 to March 31, 2012.

- B. Police Pension Board – Consider the reappointment of Commissioner Grasty to a two-year term to expire October 1, 2013. Approve the reappointment of Sergeant Eugene Griffith as a member of the Police Pension Board to another two-year term to expire October 1, 2013.

Reappointed Commissioner Grasty to a term to expire October 1, 2013.

Accepted and approved the reappointment of Master Sergeant Eugene Griffith to a term to expire October 1, 2013, as elected by the police department.

XII. City Manager's Report:
No action.

XIII. City Clerk's Report:
No action.

XIV. City Attorney's Report:
Approved the negotiated settlement of litigation with General Mechanical for a cost of \$22,500.

Approved the negotiated settlement of litigation with Volusia Homebuilders regarding City Building Department operations resulting in the internal transfer of funds between the building department fund and general fund and other clarified direct and indirect costs.

XV. Adjournment:
8:25 p.m.

“Regional Economic Development Summit”

REGISTRATION
DEADLINE
* October 14th *

Limited Seating

When:
Saturday, October 22nd
9:00 a.m. - 4:00 p.m.

Location:
NSB City Hall
Commission Chambers
210 Sams Avenue
New Smyrna Beach

Pricing:
\$25 Includes Lunch
& Refreshments

Registration:
Call 386-424-2106
Or Email:
swinkler@cityofnsb.com

Checks should be made
payable to:
City of NSB

Mailing Address:
City Manager's Office
210 Sams Avenue
New Smyrna Beach,
Florida 32168

*(payments will also be
accepted at the event)*

You are invited to attend a *Regional Economic Development Summit* hosted by the City of New Smyrna Beach, NSB Community Redevelopment Agency and the City of Edgewater.

The morning of the event would provide an overview of the Southeast Volusia Economy by Dr. Sean Snaith, Ph.D., Director of the Institute for Economic Competitiveness, University of Central Florida. Dr. Snaith's insights are very informative in terms of the current state of the Florida economy, and what to expect over the next few years in terms of recovery. The morning would also involve an update on the 2010 Economic Development Plan priorities.

During the afternoon, small group breakout sessions would be used to update and identify goals for the 2012-2015 Economic Plan. Topics being discussed for individual breakout sessions include: Regional Partnerships; Business Retention and Expansion; Tourism; I-95 Interchanges; US 1 Redevelopment; Aviation Business Parks; Medical Campus; Utilization of the Waterfront; etc. Specific individuals involved in these various topics would be invited to lead the group discussions, reporting back to all the participants for discussion.

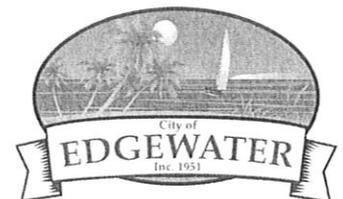
This event is limited to the first 75 participants; seating is limited!

Name: _____

Agency: _____

Phone: _____

Email: _____





COMMUNITY REDEVELOPMENT AGENCY

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



Status Report of CRA Construction Projects

October 5, 2011

Mary Ave Streetscape Project – N Myrtle Avenue to US1:

This project consists of the following improvements:

- Complete reconstruction of the stormwater system
- Complete reconstruction of the roadway with curb and gutter and nested on-street parking, 4FT sidewalk on the south side and 8FT multi-use trail on the north side, landscaping, and irrigation
- Decorative streetlights
- Improvements through the Florida East Coast Railway (FECR) right-of-way will be constructed in a separate phase of work

Progress to date:

- Reconstruction of the stormwater system is now complete
- Streetlights and electrical is 95% complete
- Irrigation is 80% complete
- Reconstruction of the roadway is about 95% complete and paving is scheduled for October 10, 2011 (before Biketoberfest)
- This project is expected to be finished before Thanksgiving

Washington St Streetscape – N Myrtle Ave to US1:

This project is currently in design, which is expected to be complete by mid November 2011.

Progress to date:

- The 60% roadway plans are complete and the 60% Landscaping plans are expected the first week in October
- Utility Coordination Letters have been sent to the various Utility Agencies

Esther St Park Improvements Project:

This project will be constructed in 3 phases including reconstructing the seawall, stormwater improvements to the area, and new park facility.

Progress to date:

- The stormwater features and new park facility are in design and a FDEP 319h Grant has been submitted for.
- The design for the seawall was completed and approved and the bid opening for this project was conducted on September 22, 2011. S.E. Cline was the lowest responsive bidder at \$248,325. Construction of the seawall is expected to start November 1, 2011.

Riverside Park Improvements Project:

The design for this project was completed and approved and has been advertised for bidding. The bid opening date will be November 15, 2011. Design elements for this project include reconstructing the seawall and wooden boardwalk, and replacing the park lighting.

5-Year Capital Improvement Plan Summary

Project Name	Project Number	Project Description	Total Project Budget	Actual Expenditures through FY10	Budget FY11	Budget FY12	Budget FY13	Budget FY14	Budget FY15	Budget FY16	Estimated FY11 Expenditures	Contact
General Fund (001)												
<u>Multi-Use Trail</u>	567888	2.2 mi Trail with two trail heads and parking and water fountain	\$1,069,012	\$700	\$23,800	\$1,044,512	\$0	\$0	\$0	\$0	\$23,800	Maissa Moore
<u>Babe James Park Improvement</u>	567101-1104	Sign and Playground Equipment	\$76,467	\$0	\$78,520	\$75,454	\$0	\$0	\$0	\$0	\$1,013	Gail Henken
<u>Pellis Park Improvement</u>	567839-1105	Walking Trail, Seating Area and Handicap Spaces	\$271,535	\$470,817	\$98,578	\$68,000	\$0	\$0	\$0	\$0	\$32,818	Gail Henken
<u>Park Maintenance</u>	567892	Maintenance of Parks in the City of New Smyrna Beach including existing new furniture, receptacles, roofing and signage	\$285,490	\$320	\$85,170	\$57,870	\$50,000	\$50,000	\$50,000	\$50,000	\$27,300	Tom Robert
Stormwater Utility Fund (101)												
<u>Falmont & Westwood Drainage & Paving</u>	567808-1106	Falmont Ave and Westwood Ave between North Street and Conrad Drive	\$513,823	\$6,866	\$600,000	\$300,000	\$0	\$0	\$0	\$0	\$2,215	Kyle Fogley
<u>Arlinson Ave Drainage (2500 Block)</u>	567915	Address Flooding issues	\$113,088	\$0	\$113,088	\$113,088	\$0	\$0	\$0	\$0	\$0	Khalid Reshheid
<u>South Orange St. Drainage</u>	567916	Pipe replacement from Lytle to Smith	\$431,078	\$0	\$431,078	\$401,198	\$0	\$0	\$0	\$0	\$33,822	Khalid Reshheid
<u>Central Beach Drainage Improvement Phase III</u>	567917	To Design and Permit Phase III of the Drainage Improvements in 3 Sub-Phases	\$5,108,679	\$62	\$750,000	\$375,000	\$1,500,000	\$1,500,000	\$1,500,000	\$0	\$238,617	Kyle Fogley
CRA Fund (120)												
<u>Esther Park Seawall & Stormwater Improvement Project</u>	567759-1108	Construct New Beachfront Park, including Seawall and Stormwater Improvements	\$1,669,550	\$4,800	\$989,750	\$1,112,700	\$0	\$0	\$0	\$0	\$152,050	Kyle Fogley
<u>Mary Avenue Streetscape Project Phase I</u>	567777	Phase I - Streetscape and Drainage Improvements from N Myrtle Ave to US1 (excludes improvements within the FECR RW which will be constructed under a different phase of work)	\$1,249,996	\$131,963	\$885,011	\$548,130	\$0	\$0	\$0	\$0	\$569,903	Michelle Martin
<u>Elabor Boardwalk Improvement</u>	567778-1109	Reconstruct Seawall and Boardwalk, upgrade Restroom Facilities, upgrade Pavilion Lot	\$2,400,000	\$14,585	\$546,169	\$2,182,895	\$0	\$0	\$0	\$0	\$191,510	Khalid Reshheid
<u>Orange St Streetscape Project</u>	567779	Streetscape, Drainage, and Parking Lot Improvements from Lytle Ave to Canal Street	\$938,695	\$83,830	\$928,432	\$80,000	\$0	\$0	\$0	\$0	\$74,865	Michelle Martin
<u>Washington St Streetscape Project Phase I N Myrtle to US1</u>	567781	Phase I - Streetscape and Drainage Improvements from N Myrtle Ave to US1 Phase II - Streetscape and Drainage Improvements from US1 to Riverside Drive	\$930,000	\$10,450	\$919,550	\$793,550	\$0	\$0	\$0	\$0	\$126,000	Michelle Martin
<u>Myrtle Ave Infrastructure Project</u>	567782-1101	Landscaping at intersections and other possible locations pending obtaining easements, and repair or replace the sidewalk on the west side of N Myrtle Ave from John St to Mary Avenue	\$494,875	\$0	\$465,000	\$294,875	\$0	\$0	\$0	\$0	\$400	Khalid Reshheid
CRA Parking												
<u>Chamber of Commerce Bldg Rehab</u>	567842	Exterior Rehabilitation	\$501,167	\$1,167	\$0	\$500,000	\$0	\$0	\$0	\$0	\$0	Tony Orie
<u>Dunn Lumber Demolition</u>	567885	Demolish 2 Buildings at 533 Canal Street	\$698,052	\$47,581	\$403,131	\$247,340	\$0	\$0	\$0	\$0	\$403,131	Kyle Fogley
<u>Riverside Park Seawall & Lighting</u>	567895-1107 and 1109	Reconstruct Seawall and Boardwalk and Lighting	\$55,000	\$0	\$65,000	\$30,534	\$0	\$0	\$0	\$0	\$34,466	Michelle Martin
<u>Washington Business District Incubator</u>	567906	Development of a Business Incubator and Start-ups	\$1,340,880	\$105,026	\$745,866	\$1,191,507	\$0	\$0	\$0	\$0	\$43,447	Kyle Fogley
<u>Galveston Landscaping (US1 at Canal St)</u>	567908	US 1 and Canal St. Landscaping	\$479,000	\$0	\$279,000	\$454,000	\$0	\$0	\$0	\$0	\$25,000	Tony Orie
<u>Storage and Wayfinding</u>	567909	US 1 and Canal St. Landscaping	\$60,450	\$0	\$60,450	\$160,450	\$0	\$0	\$0	\$0	\$0	Michelle Martin
		Erect new Wayfinding Signs	\$379,000	\$0	\$279,000	\$319,000	\$0	\$0	\$0	\$0	\$60,000	Tony Orie

5-Year Capital Improvement Plan Summary

Project Name	Project Number	Project Description	Total Project Budget	Actual Expenditures through FY10	Budget FY11	Budget FY12	Budget FY13	Budget FY14	Budget FY15	Budget FY16	Estimated FY11 Expenditures	Contact	
Capital Projects Fund (303)													
Mainhand Fire Station	567794		\$3,001,000	\$0	\$2,679,860	\$3,000,000	\$0	\$0	\$0	\$0	\$1,000		
Sidewalks	567726		\$804,989	\$4,989	\$766,836	\$800,000	\$0	\$0	\$0	\$0	\$0		
Grange Kenner Barck North Beach Park Restroom Facilities	567880	Construct Restroom Facilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	Kyle Fogley	
US1 Gateway Signs	567920	US 1 North and South entry signs	\$42,000	\$0	\$42,000	\$0	\$0	\$0	\$0	\$0	\$0	Marissa Moore	
Gateway Features, SR44/195 & SR44/Canal St and Landscape Features	567920	Landscape features from Hunting Camp to Williamson and Super Mill to US 1 Overpass Gateway features at SR44/195 and SR44/Canal St.	\$1,449,800	\$44,183	\$1,589,800	\$0	\$0	\$0	\$0	\$0	\$0	Marissa Moore	
AIRPORT PROJECTS													
Airport Apron/Fuel Farm	567950-1102	Expand Apron and prep for Fuel Farm	\$1,102,016	\$0	\$900,000	\$255,030	\$0	\$0	\$0	\$0	\$846,986	Rhonda Walker	
Airport Taxiway E & D Rehab	567201	Rehabilitate Taxiway E (from Delta to 0725) and D	\$1,707,000	\$0	\$853,500	\$1,707,000	\$0	\$0	\$0	\$0	\$0	Rhonda Walker	
Airport Maintenance Project	567764	Flood Replacement, Hangar Door Replacement etc.	\$392,787	\$92,787	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$750	Rhonda Walker	
FLEET FUND (501)													
Fleet Underground Infrastructure	567905	Replace underground piping for the City main fuel farm at Public Works	\$120,000	\$0	\$120,000	\$120,000	\$0	\$0	\$0	\$0	\$0	Brenda Hendrickson	
OTHER PROJECTS													
Canal Calore Dredging	567201	To dredge the mouth of the Canal Calore off of the ICW	\$1,190,000	\$0	\$30,000	\$0	\$1,160,000	\$0	\$0	\$0	\$0	\$0	Khalid Rashidat
Swoop Site Boat Ramp and Parking	TBD	To provide boat launching facility and trailer parking	\$216,440	\$0	\$0	\$0	\$216,440	\$0	\$0	\$0	\$0	\$0	Khalid Rashidat
COMPLETED PROJECTS													
Airport Taxiway A & E Rehab	567880	Rehabilitate Taxiway A and E (from 1129 to Delta)	\$644,483	\$18,745	\$625,738	\$0	\$0	\$0	\$0	\$0	\$562,112	Rhonda Walker	
Airport T-Hangers Phase III	567853	15 Unit T-Hanger at 278 Industrial Park Ave	\$899,646	\$437,212	\$462,434	\$0	\$0	\$0	\$0	\$0	\$319,542	Rhonda Walker	
Julia Street Water Quality Improvement (Outfall)	567913	Faulkner St to Riverside Dr	\$190,950	\$9,970	\$189,237	\$0	\$0	\$0	\$0	\$0	\$9,370	Kyle Fogley	
2631 Westwood & 632 S. Pine St	567914	Acquire properties and demolish structures	\$619,080	\$1,000	\$618,080	\$0	\$0	\$0	\$0	\$0	\$394,982	Khalid Rashidat	
Public Safety Project	567791 & 567782	Construct New Police Station and Fire Dept Station 53	\$10,449,161	\$9,776,228	\$672,933	\$0	\$0	\$0	\$0	\$0	\$313,259	Khalid Rashidat	
W Canal Streetscape Project	567776	Streetscape and Drainage Improvements from Myrtle Ave to FELCH Railroad Tracks	\$3,605,566	\$3,056,740	\$540,026	\$0	\$0	\$0	\$0	\$0	\$325,582	Michelle Martin	
N Duss Street Improvements	567919	When approximately 100 LF of N Duss at Canal Street, replace the drainage culvert, extend sidewalk on west side from Canal St to Julia Ave	\$131,029	\$32,571	\$98,458	\$0	\$0	\$0	\$0	\$0	\$65,347	Kyle Fogley	
Badler Dunes Parking Lot	567788	Improvements to create a Parking Lot and Lease Spaces	\$69,000	\$0	\$69,000	\$0	\$0	\$0	\$0	\$0	\$69,000	Michelle Martin	
Coronado Shulthoard Courts and Restroom Facility	567836	Construct New Restroom Facilities and Improvements to the existing Shulthoard Courts	\$201,629	\$71,509	\$130,120	\$0	\$0	\$0	\$0	\$0	\$100,120	Kyle Fogley	
Palme Avenue Paving	567867	Pave Palme Ave from Old Mission Rd to the Shopping Center	\$115,915	\$480	\$115,425	\$0	\$0	\$0	\$0	\$0	\$108,963	Kyle Fogley	
Quay Assisi	567823	To address a localized flooding at the cul de sac of east Quay Assisi as a pilot project	\$21,000	\$0	\$21,000	\$0	\$0	\$0	\$0	\$0	\$20,000	Kyle Fogley	

5-Year Capital Improvement Plan Summary

Project Name	Project Number	Project Description	Total Project Budget	Actual Expenditures through FY10	Budget FY11	Budget FY12	Budget FY13	Budget FY14	Budget FY15	Budget FY16	Estimated FY11 Expenditures	Contact
TOTAL			\$38,509,817	\$13,950,386	\$16,150,135	\$12,745,311	\$1,426,440	\$50,000	\$50,000	\$50,000	\$5,274,195	

Thanks To All of You

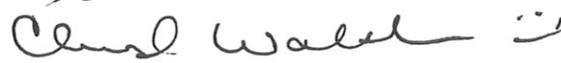
Claudia and the CRA Board...

We would like to express our sincere appreciation for all that you did to make this grant possible for our church's beautification project. Claudia, you really kept on top of every detail that was needed to be done so that we would be successful in obtaining the grant. We really appreciate your attention to detail and dedication to seeing the grant approval process through to completion! Thank you so much!

Sincerely,

* *New Smyrna Beach First Church of the Nazarene*

Pastor, Allen Shortridge 

Associate Pastor, Cheryl Walsh 

Church Board Secretary, Melissa Stucke 

201 S. Orange Street