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**MINUTES OF THE
CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY
MEETING OF OCTOBER 5, 2011
CITY COMMISSION CHAMBER, CITY HALL, 210 SAMS AVE.
NEW SMYRNA BEACH, FLORIDA**

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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 and Program Specialist Claudia Soulie and CRA Attorney Mark Hall. CRA Project Manager Michelle Martin was present, but left after “Old Business”.

CONSENT AGENDA

A. Approval of Minutes – Regular CRA Meeting September 7, 2011

Mr. Hodson made a motion to approve the Minutes as written; seconded by Ms. Latty. Motion carried on roll-call vote 7–0.

B. Grant Start Time extension for 402 Flagler Ave – Pat Collado

Mr. Peterson made a motion to approve the additional time extension; seconded by Mr. Hodson. Motion carried on roll-call vote 7–0.

C. NSB Waterfront Loop billboard cost sharing

Mr. Otte stated that the CRA was 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 will offer full creative authority to the CRA.

Mr. Otte continued that 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 line with the “cooperative advertising program” listed in the NSB Waterfront Loop Marketing Plan and the cooperative ad would provide an avenue for the NSB Waterfront Loop to define its assets while offering an affordable marketing tool for the CSHD.

Ms. Cindy Jones, President of the CSHD was present and gave a brief summary of the proposed contract details.

51 A brief discussion ensued about potential costs of changing the display and when the
52 Loop website would be up and running.

53

54 **Mr. Kinney made a motion to approve the Loop billboard cost sharing in a CRA**
55 **funding amount not to exceed \$6,800; seconded by Mr. Hodson. Motion carried on**
56 **roll-call vote 7-0.**

57

58 Ms. Soulie asked to read into record the FORMS 8B MEMORANDUM OF VOTING
59 CONFLICT from the September 7, 2011 CRA meeting from Commissioners Peterson,
60 Williams and Kosmas. Commissioner Peterson had abstained from voting on the
61 Opportunity Site consideration for 431 Canal Street; Commissioner Kosmas had
62 abstained from voting on the funding request for the Harmonica Championship and
63 Commissioner Williams had abstained from voting on agenda items for Merk's Bar and
64 Grill as well as the Dolphin View restaurant (forms attached to Minutes).

65

66 **PUBLIC PARTICIPATION**

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

69 Ms. Flare Elliot, President of Friends of Canal, commented on the CRA having joint
70 ventured with Friends of Canal in the past in regards to a wayfinding mural that was
71 painted on a building at the entrance to Canal Street (off US1). Ms. Elliot stated that it
72 may be in need of rehabilitation, as some of the paint is fading and suggested that the
73 mural could be redesigned as a "bill board" for the NSB Waterfront Loop. She asked that
74 the CRA Commissioners look at this mural as Friends of Canal would welcome any
75 input.

76 **

77 Mr. Michael Williams with Chisholm Alumni gave a brief history on past CRA funding
78 for the pedestal of a Wildcat Sculpture at the Babe James Center. Mr. Williams stated
79 that the Alumni Association was now planning on affixing plaques of every person that
80 ever attended Chisholm Elementary on a wall at the Babe James Center and was asking
81 for CRA assistance in the amount of \$2,200.

82 The CRA recommended that Mr. Williams contact staff.

83 **

84 Mr. Bill Preston, with The Hub on Canal, commented that they were not able to obtain
85 the authorization letter from the property owner by the required time in order to keep
86 their scheduled item on today's agenda. Sally MacKay, with The Hub on Canal, stated
87 that the CRA was doing a wonderful job with improving the image of Canal Street and
88 continued that The Hub was very interested in becoming part of this positive forward
89 momentum.

90 **

91 Hearing no further requests, Mr. Kosmas closed the Public Participation of the meeting.

92

93 **PRESENTATION:**

94 None

95

96

OLD BUSINESS

97

A. Donna Banks – Contract recommendation

98

99 Mr. Otte stated that Donna M. Gray-Banks has been under contract with the City as a
100 Consultant since August 2010 to direct efforts to establish the business incubator in the
101 Historic Westside. These duties have included arranging business start-up seminars,
102 arranging for job training, and coordinating leasing efforts with a family who owns the
103 building at the Northwest corner of Washington and Dimmick. Those duties are paid for
104 with CRA funds.

105

106 Mr. Otte continued that in addition, Ms. Gray-Banks also serves as a “community
107 resource” for the Historic Westside and that these duties would be expanded in the
108 proposed contract. Mr. Otte stated that this work is being paid for by the City’s General
109 Fund.

110

111 A brief discussion ensued if Ms. Banks would now be a City employee versus a
112 consultant; the risk of “sharing” CRA personnel for auditing reasons and the total number
113 of hours Ms. Banks would work for the CRA. Mr. Otte stated that she would be
114 considered a contract employee and that she keeps an accurate time log delineating time-
115 spend on CRA versus City work.

116

117 Mr. Kosmas wanted the contract to reflect that Ms. Gray-Banks was not guaranteed
118 twenty hours per week and that the CRA portion would not exceed \$25,000 per year.

119

120 **Mr. Kinney made a motion to approve the contract not to exceed \$25,000; seconded**
121 **by Ms. Latty. Motion carried on roll-call vote 7–0.**

122

123 B. 545 Washington St. Grant Application revision

124

125 Mr. Otte stated that at the September 7, 2011 meeting the CRA approved a Large Grant
126 application for a residential infill project at 545 Washington Street. Mr. Otte continued
127 that since the grant amount exceeded \$25,000, the application was scheduled for
128 ratification by the City Commission on September 27, 2011. The City Commission
129 postponed approval of the grant application pending the issuance of an approved siteplan.

130

131 Mr. Otte stated that Mr. Kung had told staff that this delay would adversely affect an
132 existing structure on the parcel and that at this time he would like to withdraw the
133 existing cottage and a proposed new cottage from the prior grant approval. The adjusted
134 project cost total was now \$107,403, representing a reduction of \$42,961 from the
135 original application. CRA reimbursement request remains at \$50,000.

136

137 Mr. Otte continued that staff recommends approval of the revised application contingent
138 on the applicant obtaining an approved Site Plan. Depending on the Planning Manager’s
139 recommendation, the application may have to go before the Planning and Zoning Board
140 prior to being scheduled for review and ratification by the City Commission.

141

142 **Mr. Williams made a motion to approve the revised application; seconded by Mr.**
143 **Kinney. Motion carried on roll-call vote 7–0.**

144

145

C. Flagler Boardwalk Improvements Project – Bid Award recommendation

146

147 Mr. Otte stated that on September 20, 2011 six (6) bids were received and opened
148 publicly at City Hall for the Flagler Ave Boardwalk Improvements Project. Mr. Otte
149 continued that the apparent low bidder is A.G. Pifer at \$899,495. A.G. Pifer has not done
150 work for the city previously; however, they received positive references and
151 recommendations from other cities.

152

153 Mr. Otte stated that staff recommends awarding the Flagler Ave Boardwalk
154 Improvements Project contract to A.G. Pifer at the amount of \$899,495.00.

155

156 Mr. Khalid Resheidat, Assistant City Manager and Public Works Director was present
157 and gave a brief summary on the proposed project, the proposed schedule and potential
158 grants that have been applied for.

159

160 **Mr. Hodson made a motion to approve staff’s recommendation; seconded by Mr.**
161 **Schilsky. Motion carried on roll-call vote 7-0.**

162

D. Esther St Park Seawall – Bid Award recommendation

163

164
165 Mr. Otte stated that in September 22, 2011 staff conducted a bid opening for the Esther St
166 Seawall Project and that a total of eight (8) bids were received. S.E. Cline was the
167 apparent lowest responsive bidder at \$248,325 which was well below the projected
168 construction cost estimate. Staff reviewed the bid and scope of work with S.E. Cline’s
169 Vice President and was assured that their bid was reflective of the work needed to
170 complete the project and fulfill the contract documents. Mr. Otte continued that staff
171 endorses S.E. Cline for this project and recommends awarding the contract to them in the
172 amount of \$248,325.

173

174 Mr. Kosmas asked for clarification if this contract was in addition to past CRA funds that
175 had been used for Esther Street park improvements. City Manager Brangaccio and Mr.
176 Otte stated that this contract is Phase 1 of construction for this project and the only
177 money spent thus far was for the acquisition of the property.

178

179 **Mr. Hodson made a motion to approve staff’s recommendation; seconded by Mr.**
180 **Kinney. Motion carried on roll-call vote 7-0.**

181

182 **NEW BUSINESS**

183

A. 1. Funding Request – “Holiday Food and Wine Festival

184

185 Mr. Otte stated that staff was approached by Pamela Simmons with Norwood’s about
186 possible funding assistance for an event called Holiday Food and Wine Festival 2011.
187 Mr. Otte continued that this year marked the Annual Event showcasing new wines,
188 various food selections from around the world and featuring area purveyors and
189 restaurants. The event has expanded each year and the organizers’ goal is to increase
190 event attendance by 10% and they are planning to achieve this by an increase in
191 advertising with potential CRA grant funding. The total project cost is estimated at

192 \$55,950 with \$6,000 being proposed for advertising. Staff recommends approval of the
193 request of \$6,000 (27.84% of the advertising budget of \$21,550).

194

195 A brief discussion ensued about the positive impact this event has had on the district.

196

197 **Mr. Hodson made a motion to approve staff's recommendation in the amount of**
198 **\$6,000; seconded by Mr. Williams. Motion carried on roll-call vote 7-0.**

199

200 2. Funding Request – Event Insurance for Merchants of Flagler Ave, Inc.

201

202 Mr. Otte stated that staff was approached by Adele Aletti, President of the Merchants of
203 Flagler, Inc. about CRA reimbursement for their event insurance in the amount of
204 \$3,722.94. This insurance covers events from September 2011 through September 2012.
205 Event Insurance is an eligible expense through the Grants and Aids program and as such,
206 staff recommends approval.

207

208 Mr. Otte also informed the CRA that he had received a phone call from a County Staff
209 member the evening before the CRA meeting, inquiring if event insurance was an
210 allowable expense, therefore, Mr. Otte would like to make this approval contingent upon
211 further investigation by the CRA Attorney.

212

213 A brief discussion ensued about the coverage period and that the premium had already
214 been paid, thus making this expense ineligible for reimbursement.

215

216 Mr. Schilsky, Ms. Latty and Mr. Kinney abstained from voting on this item as they are
217 members of the Merchants of Flagler.

218

219 **Mr. Peterson made a motion to deny the request as it had been paid prior to CRA**
220 **approval; seconded by Mr. Williams. Motion carried on roll-call vote 4-0.**
221 **Commissioners Latty, Kinney and Schilsky abstained.**

222

223 3. Funding Request – Stand-Up Paddleboarding Event

224

225 Mr. Otte stated that staff was approached by Erik Lumbert, co-owner of Paddleboard
226 New Smyrna Beach, about possible funding assistance for an event called The Mayor's
227 SUP CUP to be held on November and , 2011, and that this will be the first ever World
228 Sanctioned SUP CUP race held in New Smyrna Beach.

229

230 Mr. Otte continued that the total project cost is estimated at \$12,373 with \$5,377 being
231 proposed for print advertising, banners, event insurance and Race Jerseys. The applicant
232 has agreed to include the NSB Waterfront Loop logo on their race jerseys, Causeway and
233 horizontal banners as well as their Newspaper ads.

234

235 Staff recommends approval of the request of \$5,377 (43% of the overall budget).

236

237 A brief discussion ensued about this being a start-up event and possibly having the CRA
238 Marketing Coordinator review applications for new events.

239 **Mr. Williams made a motion to approve staff's recommendation contingent upon**
240 **review by the CRA Attorney of items that qualify for funding; seconded by Mr.**
241 **Kinney. Motion carried on roll-call vote 7-0.**
242

243 B. Discussion to add 120, 124 and 132 Canal Street (The Hub on Canal)
244

245 Ms. MacKay addressed the CRA and asked them to consider assisting The Hub with 25%
246 of their potential lease amount for a proposed project or operation.
247

248 Mr. Kosmas asked the CRA Attorney on how to handle this agenda item as property
249 owner approval had not been obtained. Mr. Hall suggested deferring it to the next
250 meeting.
251

252 A brief discussion ensued about what the CRA would define as an opportunity site and
253 that one determination could be the use of the property.
254

255 Mr. Williams felt that a key component would be if the property is currently vacant and
256 this applied to The Hub.
257

258 Mr. Peterson felt that The Hub is a project and would impact the redevelopment of New
259 Smyrna Beach and stated that the current Rental program could be adjusted to meet larger
260 projects' needs.
261

262 Mr. Hodson felt that the Board could consider this project as an Opportunity site if the
263 merits presented themselves.
264

265 Ms. Latty could conceive this as an Opportunity site, but felt that a lease needed to be in
266 place before any decision could be made.
267

268 Mr. Kosmas stated that his idea of Opportunity sites was a vacant site in need of
269 redevelopment in order to encourage the strength of the district and, while he feels that
270 this would be a great opportunity for New Smyrna and Canal Street, he would not
271 consider this project as an Opportunity site.
272

273 Mr. Schilsky felt that The Hub would have a great impact on the community and would
274 revitalize Canal Street, but did not agree with funding utility cost and lease subsidies.
275

276 Mr. Kinney stated that he was in support of The Hub, but did not consider it as an
277 Opportunity site, as the proposed building was not blighted.
278

279 C. Opportunity Site Grant Application and Deal-Points – 231 Canal Street -
280 former Pennysaver Bldg.
281

282 Mr. Otte stated that Mr. Bob Wiley is applying for an Opportunity Site Grant for the
283 renovation of the former Pennysaver Building, which is included on the list of
284 Opportunity Sites in the CRA's Master Plan update. Mr. Otte continued that the applicant
285 proposes that the Grant be divided into two phases:
286

- 335 (if any) and permit fees. Construction timeframe: start in November, 2011, and
336 conclude in February, 2012.
- 337 6. The work to be completed in Phase II is depicted in the architect's rendering and
338 site plan/floor plan (to be determined by future tenants) interior build-out
339 including interior doors, walls, HVAC, bathrooms/plumbing, electric, natural gas,
340 lighting, ceilings, flooring, and painting. Upgrading of outdated and unsightly
341 electric pole (on east side) to pad-mount transformer. Relocate generator, grease
342 trap, exhaust, hood, front (south) parking lot redesign, pavers, rear (north) parking
343 lot redesign and connecting the site to the two adjacent parking lots per rendering.
344 Dumpster, demo, and trash removal, architect and engineering fees,
345 landscape/irrigation, impact fees (if any), permit fees, and other miscellaneous
346 costs related to Phase II and contractor fees for Phase II. Construction timeframe,
347 approximately four months from start date (specific dates to be determined,
348 following Phase I)
- 349 7. Award of Opportunity Site grant does not preclude the owner or tenant(s) from
350 seeking a future Combined Grant for interior leasable spaces in the building.
- 351 8. The granting of CRA funds in this program for this project is contingent on City
352 Commission approval.
- 353 9. The building must comply with all local, state, and federal enactments including
354 land use regulations, the City's Land Development Regulations, zoning, building
355 codes and permitting procedures, and any other applicable laws and regulations.
- 356 10. The applicant must supply approved plans and specifications, a detailed time
357 schedule and schedule of costs, which shall be attached to the grant and become a
358 condition of the grant.
- 359 11. Any transfer of substantial ownership, as long as this CRA is in existence, shall be
360 subject to approval of the CRA and such approval shall not be unreasonably
361 withheld.
- 362 12. The applicant will maintain the redeveloped property to the standard shown in the
363 plans and specifications, normal wear and tear excepted.
- 364 13. The applicant will begin work within 45 days and will complete all improvements
365 within one year of City Commission approval of grant award.
- 366 14. The applicant will maintain appropriate insurance coverage on the building and
367 premises until all grant funds are dispersed.
- 368 15. All representations by the applicant are true and complete including site plans,
- 369 16. The applicant represents that there are no environmental issues that would
370 obstruct the intended use of the building.
- 371 17. The applicant will comply with Canal St design guidelines, applicable building
372 codes and inspection procedures
- 373 18. CRA grant funds shall be provided on a 50/50 matching basis and on a
374 reimbursement basis following inspection and acceptance of the work (acceptance
375 to not be unreasonably withheld.)
- 376 19. The applicant understands that:
- 377 a. All CRA grant approvals are contingent on permitting and development
378 approvals.
- 379 b. Any expenses related to the preparation of the grant application or
380 materials in support of the grant application, including conceptual plans,
381 studies, and work performed on site prior to final grant approval, etc are
382 ineligible expenses

- 383 c. Phases I and II of this grant are the only Opportunity Site grant that will be
384 awarded for this site
385 d. The property will not be delinquent in the payment of property taxes.
386 e. Violations of the terms and conditions of the grant shall be deemed a
387 violation for Code Enforcement purposes.
388 20. Funds will be provided through:
389 a. Progress payments with a draw schedule to be included in the agreement.
390 b. Progress payments and final payment shall be made following the
391 submission of documentation of cost, inspections, and acceptance
392 22. Disputes shall be decided by the CRA Board of Commissioners.
393 23. Other terms may be required prior to grant award.
394

395 Mr. Wiley gave a brief history of what he is proposing and elaborated on the project
396 drawings included in his application packet. Mr. Wiley commented on joining his parking
397 lots with the CRA parking lot on Julia Street. Mr. Kosmas was in favor of creating a
398 permanent easement.
399

400 A discussion ensued about Mr. Wiley only having provided an estimate from one
401 contractor.
402

403 Mr. Wiley explained that he had used one specific local, general contractor for a number
404 of years on several of his projects with great success and that this contractor has agreed to
405 waive certain fees, which translated in additional savings for the project. Furthermore,
406 Mr. Wiley continued that the project is “shovel ready” and the collection of two more
407 bids would adversely delay the project.
408

409 Some Commissioners felt that accepting only one bid may set a negative precedent for
410 future opportunity site applications; other Commissioners stated that the Grant guidelines
411 allow for justification by the applicant as to why less quotes were submitted and that they
412 were satisfied with Mr. Wiley’s explanation. Furthermore, they felt that each application
413 would be reviewed on its own merits.
414

415 Further discussion ensued about the deal points and Mr. Kosmas had the following
416 additions to the deal points:
417

- 418 • Deal Point 2: to be determined by the CRA
- 419 • Deal Point 12: The applicant, or any successors or assigns,.....
- 420 • Deal Point 14: ...as long as he or she owns the property.
- 421 • Deal Point 19: ...throughout term of ownership
422

423 Mr. Kosmas questioned the Phase I Environmental Assessment Letter included in the
424 application packet and felt that an opinion letter from the environmental engineer was
425 necessary. Mr. Wiley noted that request.
426

427 Mr. Kosmas asked the Commissioners for comments and a brief discussion ensued about
428 the ratio of CRA reimbursement; that this project should have a great impact on Canal
429 Street and the fact that only one contractor estimate has been submitted. Mr. Kosmas
430 suggested a motion either requiring or waiving the three (3) quote requirement for this
431 project.

432 **Mr. Hodson made a motion to waive the three (3) bid requirement for this project;**
433 **seconded by Ms. Latty. Motion carried on roll-call vote 4–3 with Mr. Williams, Mr.**
434 **Kinney and Mr. Kosmas casting the dissenting votes.**

435

436 Mr. Schilsky clarified that he voted in favor of waiving the requirement for this project
437 due to the history the applicant has with the contractor.

438

439 **Mr. Schilsky made a motion approve the deal points up to \$400,000; seconded by**
440 **Ms. Latty. Motion carried on roll-call vote 7-0.**

441

442 Mr. Kosmas asked that funding be contingent upon the outcome of the opinion letter for
443 the Phase I environmental assessment.

444

445 A brief discussion ensued about what type of grants potential tenants could receive.

446

447 D. Review of Flagler Avenue/Beachside Parking Inventory and Initiatives

448

449 Mr. Otte stated that one of the City Commission’s “Top Ten Goals and Objectives for
450 2011” is to “Complete a Long Range Parking Plan for Flagler” and that the Planning
451 Department staff, CRA staff, and the City Manager have prepared a report entitled
452 “Flagler Avenue/Beachside Parking Inventory and Initiatives”.

453

454 Mr. Otte continued that this report builds on the data that was collected by Glatting
455 Jackson (now AECOM) during the development of the CRA Master Plan Update and
456 includes short-term and long term initiatives for parking. The report will be the subject
457 of a special meeting of the City Commission on Tuesday, October 11, 2011 at 5:30 pm
458 in the City Commission Chambers, preceding the regular City Commission meeting at
459 6:30 pm.

460

461 Mr. Otte informed that one of the short term recommendations suggests entering into a
462 parking lease with the Coronado Community Methodist Church and that staff is in the
463 process of drafting an agreement.

464

465 Mr. Otte stated that staff requests discussion on this item and will forward
466 recommendations to the City Commission.

467

468 Mr. Kosmas felt that the study reflected that more parking spaces were available than he
469 had anticipated.

470

471 Hearing no further comments from the CRA Commissioners, Mr. Kosmas moved to
472 Reports and Communications.

473

474 REPORTS AND COMMUNICATIONS

475

476 A. Director’s Report

477

478 1. Moving the Votran bus stop from Christmas Park

479

480 Mr. Otte informed the CRA that staff has been in contact with Votran about moving the
481 Votran Bus Stop from Christmas Park to the east side of Sams Ave just south of Julia St.
482 and that the City Commission will consider approval at their October 11, 2011 City
483 Commission meeting.

484

485 2. Report on Landscaping at US 1 and Canal St.

486

487 FDOT plans to have a public meeting to discuss the current stage of plan development for
488 the US 1 and Canal St intersection improvements on November 15, 2011. CRA staff will
489 assist in notifying the Canal St merchants and other interested parties.

490

491 D. Commissioner Reports

492

493 • Mr. Williams stated that he was looking forward to attending the Florida
494 Redevelopment Conference.

495

496 • Mr. Peterson inquired about ways to better advertise for the grant programs,
497 specifically the Small-Scale program.

498

499 A brief discussion ensued about notifying contractors of the availability of grant
500 programs and that the Marketing Consultant should be involved in that effort as well as
501 contacting Mr. Hodson for his marketing expertise.

502

503 • Mr. Peterson asked if the CRA could look into having dedicated Police Officer
504 position(s) in the CRA.

505

506 Mr. Hall stated that he would check into it, but that some cities had experienced
507 problems.

508

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

510

511 **ADJOURNMENT**

512

513 **A motion was made to adjourn; all agreed. Meeting adjourned at 5:44 pm.**

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Williams Thomas Calvin</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>C R A</i>
MAILING ADDRESS <i>206 Live Oak 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>N. S. B. Volusia FL</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>9-7-11</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, Thomas C. Williams, hereby disclose that on 9-7, 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, _____;
- 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:

Engineer of Record for Dolphin View Dining Room Renovation

9-7-11

Date Filed

Thomas C. Williams
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 Williams Thomas Calvin	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CRA
MAILING ADDRESS 206 Live Oak St.	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 N.S.B. Volusia COUNTY FL	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 9-7-11	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, Thomas C Viltum hereby disclose that on 9-7, 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, _____;
- 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:

Engineer of Record for Menk's Bar & Grill
Restroom Renovation

Date Filed

9-7-11

Signature

Thomas C Viltum

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>Peterson James Cameron</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS <i>497 Old Mission Rd.</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>New Smyrna Beach Volusia</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>9/7/11</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input 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 September 7, 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, Mother and Father;
- 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:

Request to add 431 Canal Street to Opportunity Site list. Parents of Record owners of 431 Canal, Inc. owned of the Property.

9/7/11
Date Filed

[Signature]
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 KOSMIN JANA M.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CRA.
MAILING ADDRESS 111 LIVE OAK	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY NEB	NAME OF POLITICAL SUBDIVISION: NEW RENTONIA FL
COUNTY OK TL	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE
DATE ON WHICH VOTE OCCURRED 9-7-11	

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.

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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)

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- 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 M. KORN, hereby disclose that on 9-7-11, 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:

I DONATED TO FUND
THROUGH MY REWIT

Harmonica Championship
Funding request

9-7-11
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.