



# Community Redevelopment Agency

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

November 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, December 7<sup>th</sup>, 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, DECEMBER 7, 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 November 2, 2011
- B. CRA 2012 Meeting Schedule

**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. Event Insurance
- B. Discussion of Expansion on the Independent Business Rental Move in Program

**7. NEW BUSINESS**

- A. Bid Award for Flagler Ave Stormwater pipelining– Miller Pipeline
- B. US1 at Canal Street - Proposal to Design Hardscape Improvements – Metric Engineering
- C. Washington St Streetscape Sidewalk Project - Options on FEC Portion
- D. Small Scale Improvements Grant –
  - 1. 214 N. Orange Street – Napa Auto Parts
- E. Combined Grant –
  - 1. 600 W. Canal Street – Kim’s food and Gas, Inc.
  - 2. 208 Magnolia Street – Fender Mender
  - 3. 306/308 N. Orange Street
- F. Opportunity Site Designation Request –
  - 1. 426 Canal Street
  - 2. 529-533 Washington Street
- G. Riverside Park Improvements Project – Utility Commission cost for Lighting
- H. CRA Grants Conflict
- L. Riverside Park Bids

**8. REPORTS AND COMMUNICATIONS**

- |                              |                        |
|------------------------------|------------------------|
| A. Director’s Report         | D. Commissioner Report |
| B. CRA Attorney’s Report     | E. Tracking Report     |
| C. Capital Projects Report   | F. Correspondence      |
| - Staff to report on Funding |                        |

**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:  
Page 2 of 211

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 NOVEMBER 2, 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  
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 and Commissioner Doug Hodson were excused absent.

**1. CONSENT AGENDA**

A. Approval of Minutes – Regular CRA Meeting October 5, 2011

Mr. Peterson alerted staff to a scrivener's error on page 1, line 49, which should read Ms. Jones instead of ~~Ms. Peterson~~. Ms. Soulie noted this change.

**Mr. Kinney made a motion to approve the Minutes with the above correction; seconded by Mr. Williams. Motion carried on roll-call vote 6–0.**

B. Residential Grant Start Time extensions -

1. 1111 S. Atlantic Ave
2. 543 Washington Street

Mr. Kosmas entertained one motion for item B 1 and 2.

**Mr. Williams made a motion to approve the residential grant time extensions for 1111 S. Atlantic Ave and 543 Washington Street; seconded by Ms. Latty. Motion carried on roll-call vote 6–0.**

C. CRA Social Media Policy

Mr. Otte stated that to embark on the use of social media as part of the marketing efforts for the NSB Waterfront Loop, a policy that defines use and compliance must be adopted to mitigate Sunshine Law and copyright violations, etc. Social media includes the various online (electronic) technology tools that enable people to communicate easily via the internet

50 to share information and resources. Forms of electronic communication include websites for  
51 social networking and blogs that offer the formation of online communities to share  
52 information, ideas, messages, and other content such as text, audio, video, images, and  
53 podcasts. The most prominent examples of social media sites are Facebook, Twitter, and  
54 YouTube.

55  
56 Mr. Williams stated that it was important to be aware of the sunshine laws. Mr. Hall  
57 elaborated on the rules and regulations and suggested the CRA Commissioners do not post  
58 anything on the website.

59  
60 **Mr. Kinney made a motion to approve the NSB Waterfront Loop Social Media Policy;**  
61 **seconded by Mr. Williams. Motion carried on roll-call vote 6-0.**

62

63

64 **2. PUBLIC PARTICIPATION**

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

67

68 Ms. Adele Aletti, Gone Bonkers on Flagler Ave, addressed the CRA and stated that the event  
69 “Light Up Flagler” was going to be held December 2, 2011 and that this has been a very  
70 successful event in the past. Ms. Aletti asked if the CRA would assist in funding a snow  
71 machine for this event.

72 A brief discussion ensued and it was suggested to raise the funds through contributions by  
73 the individual merchants on Flagler.

74 \*\*

75 Mr. Williams, Chisholm Alumni, elaborated on a proposed project for the creation of a  
76 Chisholm wall at the Babe James Center and the Alumni’s plans to ask for CRA funding  
77 assistance. Mr. Williams further stated that the dedication is scheduled for July 14<sup>th</sup>, 2012 at  
78 10 am.

79 \*\*

80 Ms. Marla Nance, 306 N. Orange stated that she wanted to withdraw her grant request  
81 agenda item from this agenda.

82 \*\*

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

84

85

86 **3. PRESENTATION:**

87 None

88

89 **4. OLD BUSINESS**

90

91 **A. Revisiting of the Funding Request for Event Insurance – Flagler Merchants**

92

93 Mr. Otte stated that on October 4, 2011 the CRA denied the request for event insurance  
94 reimbursement for the Merchants of Flagler, because the premium had been paid prior to

95 CRA approval, however, upon further review, new information had come to light that  
96 prompted staff to re-submit the request for reconsideration by the CRA.

97  
98 Mr. Otte elaborated on the new information and that staff believed that this matter was  
99 simply a valid misunderstanding and that for this reason staff recommended the CRA  
100 reconsider this matter and allow reimbursement of the event insurance this time; but in the  
101 future staff will make it clear that event insurance expenses are to be brought to the CRA for  
102 approval through the Grants and Aids process before they are paid.

103  
104 A brief discussion ensued about the legality for funding event insurance and for funding  
105 special events in general. Mr. Hall stated that he was still in the process of researching these  
106 aspects.

107  
108 The CRA Commissioners felt that due to this new information they would be inclined to  
109 reconsider this item, but needed an application from the applicant.

110  
111 The CRA did not take any action on this item, as a quorum was not available, since Mr.  
112 Schilsky, Mr. Kinney and Ms. Latty would abstain from voting and Mr. Hodson was absent.

#### 113 114 B. Lease of Parking Lot at Coronado Community Methodist Church

115  
116 Mr. Otte stated that the recent review of parking in the Flagler Ave area included the  
117 possibility of leasing a portion of the parking lot at the Coronado Community United  
118 Methodist Church. The Church lot is well-positioned in the area, as it is immediately west  
119 and accessible from the City's parking lot at the Coronado Civic Center.

120  
121 Mr. Otte continued that representatives of the Coronado Community United Methodist  
122 Church and City Staff have negotiated a draft lease of parking spaces in the parking lot  
123 owned by the Church in the Southeast corner of Flagler and Peninsula Avenues. CRA staff  
124 was looking for CRA approval of the agreement and authorization to have the CRA Chair  
125 sign the document.

126  
127 A brief discussion ensued about proper ingress and egress to the Parking lot; clarification on  
128 what happens after the CRA sunsets; prohibiting the roping-off of leased spaces; provision to  
129 erect signage identifying this lot as CRA/City a public parking lot and giving directions to  
130 the lot. Mr. Otte stated that he could create a signage plan for review at a future CRA  
131 meeting.

132  
133 Mr. Kosmas inquired about possibly clearing some of the vegetation on Flagler Ave to create  
134 a better visual of the parking lot. Mr. Otte informed that the lease was drafted in such a  
135 fashion that the parking lot and surroundings would be left as-is. Mr. Otte will look into the  
136 possibility of thinning out some of the vegetation should the vegetation be in the Right-of-  
137 way.

138  
139 **Mr. Williams made a motion to approve the parking lease and authorize the CRA**  
140 **Chair to sign; seconded by Mr. Kinney. Motion carried on roll-call vote 6-0.**

#### 141 142 5. NEW BUSINESS

144 A. Small Scale Improvements Grant –

145  
146 1. 209 Rush Street – La Mirage

147  
148 Mr. Otte stated that the applicant is proposing to paint all exterior walls, shutters, doors  
149 window frames, fascia and soffits for a total cost of \$2,520. The paint contractor is a local  
150 business from New Smyrna Beach. The application has received the necessary points to  
151 qualify for consideration and staff recommends approval in the grant amount of \$2,500.

152  
153 **Mr. Kinney made a motion to approve the Small Scale improvement grant for 209 Rush**  
154 **Street; seconded by Mr. Schilsky. Motion carried on roll-call vote 6–0.**

155  
156 2. 135 Canal Street – Jason’s Corner

157  
158 Mr. Otte stated that the applicant is proposing to replace the entrance door off of Canal Street  
159 that does not close properly as well as a trim-out of the new front door to match the existing  
160 sliding door at a total cost of \$3,169.55. The contractors are local businesses from New  
161 Smyrna Beach. The application has received the necessary points to qualify for consideration  
162 and staff recommends approval in the grant amount of \$2,500.

163  
164 A brief discussion ensued about eligible items under this grant program.

165  
166 **Ms. Latty made a motion to approve the Small Scale improvement grant for 135 Canal**  
167 **Street; seconded by Mr. Schilsky. Motion carried on roll-call vote 6–0.**

168  
169 B. Combined Grant –

170  
171 1. 409 Flagler Ave

172  
173 Mr. Otte stated that this applicant is proposing to repair/paint damaged stucco in various  
174 exterior places to waterproof the building; replacement of awning fabric; removing existing  
175 boarded-up windows and replacing them with glass blocks as well as replacing a 42” existing  
176 door with a standard 36” door. The application has received the necessary points to qualify  
177 for consideration and staff recommends approval. Approval is contingent upon the applicant  
178 obtaining the necessary permit(s).

179  
180 **Ms. Kinney made a motion to approve the Combined grant for 409 Flagler Ave;**  
181 **seconded by Mr. Williams. Motion carried on roll-call vote 6–0.**

182  
183 2. 308 N. Orange Ave.

184  
185 Withdrawn by applicant.

186  
187  
188 **6. REPORTS AND COMMUNICATIONS**

189 A. Director’s Report

- 190  
191 • Mr. Otte informed the CRA Commissioners that CRAs will be giving presentations to  
192 the County Council tomorrow, November 3, 2011 and that Mr. Otte will be

193 accompanied by the City's Manager, Finance Director and Assistant Finance  
194 Director. Everybody is welcomed to attend.

195  
196 • Mr. Otte commented on the Flagler Ave Boardwalk/seawall improvement project and  
197 stated that City staff is in discussion with Volusia County about their proposed office  
198 relocation and that this may possibly trigger a change order to the existing  
199 construction contract. Mr. Otte gave a brief history on the prior leasing arrangement.  
200 Ms. Brangaccio stated that continued partnership discussions were taking place.

201  
202 Mr. Kosmas inquired if any new buildings can be tied into the Boardwalk design for  
203 continuity.

204  
205 • Mr. Otte asked if the CRA was opposed to moving the December CRA meeting from  
206 December 14, 2011 to December 7, 2011. The CRA agreed to move it to the 7<sup>th</sup>.

207  
208 • Mr. Otte had received a letter in which the City Clerk is looking for a CRA  
209 representative to be part of a City of New Smyrna Beach 125<sup>th</sup> Anniversary Time  
210 capsule committee and the first meeting is scheduled for November 14, 2011. Mr.  
211 Otte was volunteered and accepted.

212  
213 • Mr. Otte encouraged attendance at a "Visioning for the Future" Board retreat for Bert  
214 Fish Medical Center on November 11, 2011 from 9 am – 4 pm at a local church on  
215 Magnolia Street.

216  
217 B. CRA Attorney's Report

218  
219 • Mr. Hall stated that the City Commission approved the Opportunity Site Grant for the  
220 former Pennysaver building on Canal Street and elaborated on the proposed  
221 construction schedule.

222 • Mr. Hall commented on the previous Attorney General and Auditor General opinions  
223 on Special Event policing and Event insurance and suggested drafting a policy that  
224 fits in with the statutory framework and Master Plan of the CRA. To do that, Mr. Hall  
225 would like to create an Ad Hoc committee comprised of Mr. Peterson, Mr. Otte and  
226 himself. Pending the outcome of the research on special event funding, Mr. Kosmas  
227 would like staff to look into prioritizing the special event dollars that remain to fund  
228 events that bring large crowds to New Smyrna Beach, as well as potentially having a  
229 representative from the SVAA on the Ad Hoc committee to partner on advertising.  
230 Mr. Hall would like to keep the Ad Hoc meeting informal and not yet involve the  
231 SVAA. Mr. Peterson accepted to be on the committee.

232•  
233 C. Capital Projects Report

234  
235 Mr. Otte highlighted that the Flagler Ave and Esther Street projects are ready to kick off very  
236 soon and the Mary Ave project is substantially complete. Streetlight Banners have been  
237 commissioned for the Historic Westside and are expected to arrive by the end of November.

238  
239 Mr. Otte stated that he was making periodic inquiries about the progress of the Flagler Hotel  
240 and that an update was anticipated soon. A brief discussion ensued about the ramifications of  
241 the developer not meeting the December 2012 construction deadline.

242 D. Commissioner Report

243  
244 Mr. Kinney felt that this had been a productive meeting.

245  
246 Mr. Schilsky inquired about the Wayfinding project and Mr. Otte informed the CRA that a  
247 meeting with local groups had taken place and those comments were incorporated into the  
248 final plans that will be submitted to FDOT.

249  
250 Ms. Latty asked if signage would direct people to the historic Canal and Flagler areas. A  
251 brief discussion ensued on how to get visitors to those areas.

252  
253 Mr. Peterson suggested approaching the property owner of 399 Canal Street about plantings  
254 or other options to beautify a lot left vacant by the demolition of a dilapidated structure. Ms.  
255 Brangaccio stated that staff was working on putting together a small design for this location.

256  
257 Mr. Williams commented on the CRA's sunset and stated that he was told that people were  
258 in favor of asking for an extension. He also encouraged his fellow CRA Commissioners to  
259 attend the next Florida Redevelopment Association (FRA) conference, as those meetings  
260 were very informative. Mr. Williams suggested that the CRA Commissioners complete a  
261 certification program offered by the FRA.

262  
263 Mr. Williams stated that he had joined the NSB Masonic Lodge and was approached about  
264 the possibility of speaking with pertinent City staff about better delineating parking on  
265 Washington Street (next to Old Fort Park) to create more parking spaces. Mr. Otte stated that  
266 he would look into it.

267  
268 Mr. Kosmas suggested pressure washing the walkway at Christmas Park, as holiday events  
269 will be held there.

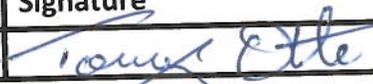
270  
271 Ms. Soulie stated that the NSB Waterfront Loop website was now live and invited the CRA  
272 Commissioners to browse at their leisure ([www.nsbwaterfrontloop.com](http://www.nsbwaterfrontloop.com)).

273  
274 Mr. Kosmas thanked staff for putting together this CRA agenda. Hearing no further  
275 comments, Mr. Kosmas entertained a motion to adjourn.

276  
277 ADJOURNMENT

278  
279 **A motion was made to adjourn; all agreed. Meeting adjourned at 3:48 pm.**

## CRA AGENDA ITEM SUMMARY

<b>Staff Member Making Request:</b> Claudia Soulie		
<b>Meeting Date:</b> December 7, 2011		
<b>Action Item Title:</b> 2012 CRA Meeting Schedule – Review and Approval		
<b>Agenda Section:</b> Consent _____ Public Hearing _____ Special Items <u>  x  </u>		
<p><b>Summary Explanation and Background</b></p> <p>CRA staff has prepared a schedule for the regular CRA meetings for the year 2012. The meetings are to be held every first Wednesday of the month with the exception of January and December, which are requested to take place on the second Wednesday, due to shortened workweeks for the holidays. Also, please note that City offices will be closed on Wednesday, July 4<sup>th</sup>, 2012 and therefore, the CRA meeting is scheduled for <b>Tuesday</b>, July 3, 2012.</p>		
<p><b>Recommended Action/Motion:</b></p> <p>Approve the 2012 CRA Meeting Schedule.</p>		
<p><b>Funding Analysis:</b> Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:</p> <p>N/A</p>		
<p><b>Exhibits Attached:</b></p> <p>1. 2012 CRA Meeting Schedule</p>		
<b>Reviewed By:</b>	<b>Name</b>	<b>Signature</b>
CRA Director	Tony Otte	
<p><b>Commission Action</b></p> <p style="text-align: right;"></p>		



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



## 2012 MEETING SCHEDULE

DATE	TIME
January 11*	2:00PM
February 1	2:00 PM
March 7	2:00 PM
April 4	2:00 PM
May 2	2:00 PM
June 6	2:00 PM
July 3*	2:00 PM
August 1	2:00 PM
September 5	2:00 PM
October 3	2:00 PM
November 7	2:00 PM
December 12*	2:00 PM

The CRA meetings are being held every 1<sup>st</sup> Wednesday of the month at the City Commission Chambers, 210 Sams Ave., New Smyrna Beach. The meetings start at 2:00 pm. Please check the most current CRA agenda posted on the City's website for any possible changes to the start time. All CRA meetings and workshops are open to the Public.

\*Changed due to Holidays. The July meeting is being held on Tuesday.

# ***OLD BUSINESS***

## CRA AGENDA ITEM SUMMARY

**Staff Member Making Request:** Claudia Soulie

**Meeting Date:** December 7, 2011

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

**Agenda Section:** Consent \_\_\_\_\_ Public Hearing \_\_\_\_\_ Special Items   x  

**Summary Explanation and Background**

On November 2, 2011 the CRA revisited the above mentioned item and stated that, based on new information presented by staff, they would be inclined to reconsider their motion of denial passed on October 4, 2011. The CRA also asked that the applicant provided them with an application. Due to lack of a quorum the CRA did not take any action on this item and suggested staff bring it back at the December CRA meeting.

**Recommended Action/Motion:**

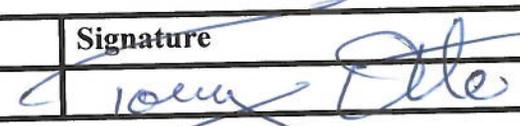
Approve the reimbursement request for event insurance in the amount of \$3,589.93. In the future, event insurance reimbursement can only take place if the expense is approved by the CRA prior to payment.

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

Account number 120.51502.5483006 – Grants and Aids

**Exhibits Attached:**

1. Paid invoice submitted by the applicant
2. Excerpt from the May 5, 2010 CRA minutes

<b>Reviewed By:</b>	<b>Name</b>	<b>Signature</b>
CRA Director	Tony Otte	
<b>Commission Action</b>		

## CRA AGENDA ITEM SUMMARY

<b>Staff Member Making Request:</b> Claudia Soulie		
<b>Meeting Date:</b> November 2, 2011		
<b>Action Item Title:</b> Discussion on Reconsideration of Funding Request – Event Insurance for Merchants of Flagler, Inc.		
<b>Agenda Section:</b> Consent _____ Public Hearing _____ Special Items <u>  x  </u>		
<b>Summary Explanation and Background</b>		
<p>On October 4, 2011 the CRA denied the request for event insurance reimbursement for the Merchants of Flagler, because the premium had been paid prior to CRA approval.</p> <p>Upon further review, new information has come to light that prompted staff to re-submit the request for reconsideration by the CRA.</p> <p><b>History:</b> At the May 5, 2010 CRA meeting, the CRA voted to allow event insurance as an eligible expense in the grants and aids program. While the motion on this item does not reflect it, the discussion referred to event insurance becoming a “reimbursable expense.” For this reason, when the Merchants of Flagler submitted an invoice and a copy of their cancelled check to CRA staff on December 15, 2010 for event insurance, staff reimbursed the Merchants of Flagler on 12/21/10.</p> <p>This year, the Merchants of Flagler were simply following the same procedure they had followed the previous year and had not received any instruction from staff to change the procedure. They could have held off paying the invoice, but were not aware of a need to do so. Unlike the previous year, staff (the CRA Director) then put the 2011 request on the agenda and it was denied, since the Merchants group had already paid it.</p> <p>Staff believes that this matter was simply a valid misunderstanding due to the May 5, 2010 discussion to allow event insurance as a “reimbursable expense” and the handling of this expense in the previous year. For this reason, staff recommends that the CRA reconsider this matter and allow reimbursement of their event insurance this time; but in the future staff is instructed to make it clear that event insurance expenses are to be brought to the CRA for approval through the Grants and Aids process before they are paid.</p>		
<b>Recommended Action/Motion:</b>		
Approve the reimbursement request for event insurance in the amount of \$3,722.94. In the future, event insurance reimbursement can only take place if the expense is approved by the CRA prior to payment.		
<b>Funding Analysis:</b> Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account: Account number 120.51502.5483006 – Grants and Aids		
<b>Exhibits Attached:</b>		
<ol style="list-style-type: none"> <li>1. Paid invoice submitted by the applicant</li> <li>2. Excerpt from the May 5, 2010 CRA minutes</li> </ol>		
<b>Reviewed By:</b>	<b>Name</b>	<b>Signature</b>
CRA Director	Tony Otte	
<b>Commission Action</b>		
		

**Community Redevelopment Agency  
Grants and Aids**

**Application for Event Insurance**

Date Submitted 11/29/11 Date Approved \_\_\_\_\_  
Name of Business or Organization MERCHANTS OF FLAGLER AVE  
Address PO BOX  
City and Zip Code NEW SMYRNA BEACH, FL 32170  
Contact Person/Title Adele Aletti Pre Phone 386-427-2256  
Projected Budget \$3,589.93 Amount Requested \$3,589.93  
Estimated Project Start Date 9/22/11 Estimated Project End Date 9/22/12  
Has this event received past CRA funding? yes  
If yes, please provide the year(s) of assistance and amount received. \$ 3,116.16  
2010

*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. Fictitious Name Filing
5. Listed application question responses. (N/A)

Signature of Organization's Chief Official: Adele Aletti



Hull & Company, Inc.

Handwritten stamp: "WORK 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 201

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:

463 A brief discussion ensued about the potential of contaminated soil in an area proposed for  
464 a landscape buffer, the disposal requirements as well as the possibility of being able to  
465 determine the source of the contamination.  
466

### 467 NEW BUSINESS

#### 468 A. CRA Commercial Grant Applications 207 S. Atlantic Ave – Flagler 469 Dunes Parking Lot

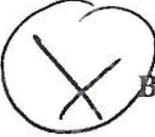
470  
471 Mr. Otte stated that the CRA had previously approved \$58,000 in CRA funds to create  
472 parking spaces at the Flagler Dunes parking lot. This was done as part of a public/private  
473 agreement to lease parking spaces back to the CRA at \$500 per space until the advance  
474 had been expended. Mr. Otte continued that staff had learned that the cost of construction  
475 had increased and staff felt that this was an approvable expense. Mr. Otte suggested  
476 adding an additional \$10,000 to the previously approved amount and adjusting the draft  
477 agreement accordingly.

478  
479 Mr. Williams stated that he was representing the owners, who were not able to attend the  
480 meeting and that he would abstain from voting on this topic (see attached FORM 8B  
481 MEMORANDUM OF VOTING CONFLICT).

482  
483 **Mr. Belote made the motion to add the \$10,000 to the previous \$58,000 and to**  
484 **amortize this amount over a longer period of time, seconded by Ms. Lybrand. The**  
485 **motion carried on a roll call vote 7 – 0.**

486  
487 Mr. Otte clarified that the motion was to authorize staff to amend the lease agreement  
488 versus approving the Commercial Grant application. Mr. Belote agreed.

489  
490 A discussion ensued about the total construction cost, how the CRA was being  
491 reimbursed and a construction timeline.

492  
493  
494  **B. Amendment to the Grants & Aids Program**

495  
496 Mr. Otte stated that staff was asking for approval to revise the current Grants and Aids  
497 Guidelines as follows:

- 498  
499 1. special Event Insurance as an allowable expense with Grants and Aids funding;  
500 2. allow an additional three years of Grants and Aids Program support if the event is  
501 substantially expanded (to be determined by the CRA on a case by case basis).

502  
503 Mr. Kosmas was in favor of being clearer on the verbiage for revision 2 by stating that  
504 the extension would be a one-time additional three (3) year extension.

505  
506 Mr. Dennis felt that the CRA could aid merchants to attract lucrative events by funding  
507 the event insurance and a brief discussion ensued about the legalities of the CRA paying  
508 for the insurance versus including it in the Grants and Aids programs and concerns with a  
509 blanket insurance policy, where applicants may not be clearly identified.

510 Adele Aletti, Flagler Merchants Association President, stated that she sends a list of all  
511 their yearly events to her insurance company and they provide her with an annual  
512 payment figure. Ms. Aletti continued that this was being funded by the merchant  
513 member dues.

514  
515 Mr. Williams preferred that the events coordinators of each organization secured their  
516 own event insurance and to make this cost a reimbursable expense through the Grants and  
517 Aids Program.

518  
519 Cindy Jones, President of the Canal Street Historic District stated that their merchant  
520 group was planning to apply for a blanket policy, but that at present the group only had  
521 limited events, this was why they were hoping to have the insurance requirements as a  
522 reimbursable expense through the Grants and Aids program.

523  
524 **Mr. Williams made the motion to authorize the proposed revisions to the Grants**  
525 **and Aids Guidelines to specifically include Event Insurance as an allowable expense**  
526 **and to allow a one-time three (3) year extension, should the event have substantially**  
527 **expanded; seconded by Mr. Belote; Motion carried on roll-call vote 7 – 0.**

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### **C. Review of Esther Street Beachfront Park Conceptual Plan**

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Mr. Otte asked Gail Henrikson, Planning Manager, to address the CRA. Ms Henrikson presented the CRA with two (2) versions of a concept plan for the Esther Street Park, depicting concepts with and without the use of a private easement. Ms. Henrikson stated that she was looking for the CRA to recommend which of the two plans they would like staff to forward to the City Commission for approval. Ms. Henrikson commented on the additions made to the original plan.

A brief discussion ensued about the differences between the two concepts with all their pros and cons.

Mr. Williams stated that he would prefer concept plan no. 2.

Mr. Paul Gephart, Windsand Condominiums on Atlantic Ave. asked for clarification of the differences between the two concepts. Ms. Henrikson stated that concept no 1 had traffic entering/exiting the park on Esther Street and concept no 2 had one lane going into the park on Esther and exiting through the parking lot onto N. Atlantic Ave, as well as allowing for eight more parking spaces.

Ms. Sandra Karr, Windsand Condominiums inquired if steps to the beach were proposed, which Ms. Henrikson confirmed.

Mr. Otte stated that he was in favor of concept plan No. 2, as no easement would be required, thus eliminating possible litigation costs. Ms. Henrikson stated that implementation of either plan would bring additional costs, and that the Planning staff

2011

EVENTS

DATE

Street Closure

~~Art Walk 10am ~ 5pm / Wine Walk 1pm ~ 6pm  
Sept. 27, Sunday~~

~~Art Walk 10am ~ 5pm / Wine Walk 1pm ~ 6pm  
Sept. 28, Monday~~

**Wine Walk 1pm ~ 6pm**  
Progressive Wine tasting along Flagler Ave  
Sept. 17, Saturday

**Art Walk 10am ~ 5pm**  
Unique Jazz Art Exhibits with world class Jazz musician  
Sept. 24, Saturday

**Jazz Fest 11<sup>th</sup> 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<sup>st</sup> 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>
<b>Art Walk 10am ~ 5pm / Wine Walk</b> Fine Art Exhibits, Music & Progressive Wine Tasting	<b>1pm ~ 7pm</b>	Jan. 28, Saturday	
<b>Hawaiian Open &amp; Luau 3<sup>rd</sup> Annual</b> Miniature golf with Hawaiian theme & luau, wear your Hawaiian shirt & Lei	<b>5pm ~ 9pm</b>	Jan. 19, Thursday	
<b>Art Walk 10am ~ 5pm / Wine Walk</b> Fine Art Exhibits, Music & Progressive Wine Tasting	<b>1pm ~ 7pm</b>	Feb. 25, Saturday	
<b>Mardi Gras Parade 5<sup>th</sup> Annual</b> Come for the Fat Tuesday Parade and then stay and enjoy the live music and food.	<b>Parade starts at 7pm</b>	Feb 21, Tuesday	
<b>Shamrock &amp; Roll / St. Patrick's Day</b> Pot O'Gold Treasure Hunt up and down Flagler Ave with food, live entertainment, dancing and prizes	<b>5pm ~ 9pm</b>	March 17, Saturday	
<b>Spring Sidewalk Sale</b> Stroll up and down Flagler Ave for some great spring sales	<b>9am ~ 5pm</b>	March 17, Saturday	
<b>Art Walk 10am ~ 5pm / Wine Walk</b> Fine Art Exhibits, Music & Progressive Wine Tasting	<b>1pm ~ 7pm</b>	March 24, Saturday	
<b>New Smyrna Beach Food Festival 4<sup>th</sup> Annual</b> Join us for an evening of live entertainment and sampling the best from Volusia county restaurants	<b>5pm ~ 9pm</b>	April 19, Thursday	
<b>Art Walk 10am ~ 5pm / Wine Walk</b> Fine Art Exhibits, Music & Progressive Wine Tasting	<b>1pm ~ 7pm</b>	April 28, Saturday	
<b>Cinco de Mayo Celebration 5<sup>th</sup> Annual</b> Celebration of Mexican Culture with food, live entertainment, and dancing	<b>4pm ~ 10pm</b>	May 5, Saturday	
<b>Art Walk 10am ~ 5pm / Wine Walk</b> Culinary Art Presentation, Music & Progressive Wine Tasting	<b>1pm ~ 7pm</b>	May 26, Saturday	
<b>SeaSide Fiesta 24<sup>th</sup> Annual</b> Free admission, live entertainment, food, games, art and crafters	<b>5pm ~ 9pm</b>	June 21, Thursday	
<b>Art Walk 10am ~ 5pm / Wine Walk</b> Fine Art Exhibits, Music & Progressive Wine Tasting	<b>1pm ~ 7pm</b>	June 23, Saturday	
<b>Flagler Avenue Open / Putt &amp; Stroll 3<sup>rd</sup> Annual</b> Play Putt-Putt golf up and down Flagler Ave for food & drink specials	<b>5pm ~ 9pm</b>	July 19, Thursday	
<b>Art Walk 10am ~ 5pm / Wine Walk</b> Christmas in July Art Exhibits, Music & Progressive Wine Tasting	<b>1pm ~ 7pm</b>	July 28, Saturday	
<b>NSB Shrimp &amp; Seafood Festival 5<sup>th</sup> Annual</b> 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	<b>5pm ~ 9pm</b>	Aug. 16, Thursday	

**EVENTS**

**DATE**

**Street Closure**

**Art Walk 10am ~ 5pm / Wine Walk 1pm ~ 7pm**  
"Surf's Up" Art featuring surf boards painted by local artist, Music & Progressive Wine Tasting

Aug. 25, Saturday

**Flagler BBQ Festival / Grill Master Classic 2<sup>nd</sup> Annual 12pm ~ 5pm**  
Celebrating the grill, you name it, were grilling it

Sept. 20, Thursday

**Wine Walk 1pm ~ 7pm**  
Progressive Wine tasting alone Flagler Ave

Sept. 15, Saturday

**Art Walk 10am ~ 5pm**  
Unique Jazz Art Exhibits with world class Jazz musician

Sept. 29, Saturday

**Jazz Fest 12<sup>th</sup> Annual**

Sept. 28, thru 30

## CRA AGENDA ITEM SUMMARY

**Staff Member Making Request** Tony Otte

**Meeting Date:** December 7, 2011

**Action Item Title:** Discussion of an Expansion of the Independent Business Rental Assistance Move-In Program

**Agenda Section:** Consent \_\_\_\_\_ Public Hearing \_\_\_\_\_ Special Items \_\_\_x\_\_\_

### **Summary Explanation and Background**

#### **Introduction**

The Representatives of the Hub project are requesting that the CRA modify and expand the current Independent Rental Assistance Move-in Program to better fit the needs of The Hub project. The expanded program would resemble some aspects of a "Rent Subsidies" program from Boca Raton. Staff requests discussion on this item. (Note: a sector portrait of "Cultural Tourism" is featured this month in "Florida Trend".)

#### **Background**

Representatives of the new organization known as the Hub have been discussing the possibility of obtaining CRA funding for their project for months. The concept is to open small, leasable spaces for a variety of art endeavors, including spaces for artists to create and sell art, a small theatre for art films, an area for dance lessons, etc. The building space may also include one or more conventional businesses, such as a coffee shop and a restaurant.

Initially, the focus was for the group to purchase the building located at the SE corner of Magnolia and Canal. This building is currently listed as being for sale. More recently, the focus has turned to the CRA providing funds to go towards lease payments. Currently, the CRA has a "rent incentive" type program. The basic program requirements are as follows:

- The landlord must agree to reduce the rent by 25% for the length of CRA participation. The CRA then will commit an amount equal to 25%, leaving the new tenant to pay 50% of the normal lease amount.
- CRA participation is for \$5,000 per tenant or 18 months, whichever comes first.
- Leases cannot be above market rate.
- Participating businesses must be "independent".
- Businesses moving from one location to another within the CRA are not eligible.

The Independent Business Rental Assistance Move-In Program is modeled on a program in Delray Beach. The program modification being requested by The Hub is modeled on a rental assistance program in Boca Raton. The basic features of the Boca Raton program are:

- a. The Rent Subsidies Program is intended to target and recruit new businesses, and retain existing businesses. The program focus is on job creation and retention.
- b. This grant program provides matching grants of up to \$75,000 for up to 75% of the first year's annual rent or lease payments of businesses moving into existing vacant building space...
- c. The Program requires a five year lease, in which the City pays up to \$75,000 for up to 75% of the annual rent or lease amount for the initial year, up to \$50,000 for up to 50% of the annual rent or lease amount for the second year, up to \$25,000 for up to 25% of the annual rent or lease amount for the third year, and the tenant pays the full amount for the fourth and fifth year.

## **Summary Explanation and Background cont.**

c. Eligibility: Companies must:

- i. Be creating jobs
- ii. Be financially stable
- iii. Have been in business for at least two years
- iv. Be a business targeted by the City for creating a positive economic impact on the City or an area of the City – through job creation, creation of economic traffic, having the potential to attract additional businesses, and/or contributing to the improvement of the vitality of existing businesses
- v. Bring a significant potential for economic growth to the community, not just with the company itself, but also with affiliated and secondary businesses
- vi. Have a complete and detailed business plan

d. Preference shall be given for target industries as identified by the State of Florida.

e. Leases must demonstrate that they are at or less than market-rate as defined in the program.

(Note: this program description was provided by representatives of The Hub. CRA staff spoke with City of Boca Raton officials and viewed that City's website to ensure that this program is currently available.)

### **Program Expansion**

Project representatives are requesting a program that would provide grants toward lease payments as follows:

- \$50,000 – 75,000 for the first year
- \$50,000 for the second year
- \$25,000 for the third year

If the CRA is interested in developing such a program, staff recommends that CRA members come to the meeting prepared to provide a list of program requirements that can be compiled into a new section of the rental move-in program. At the outset, staff would suggest the following:

1. The applicant must be a 501 (c) (3) non-profit organization.
2. The lease be reviewed and approved by the CRA and City Attorney, and be accompanied by a letter of support for the project from the landlord.
3. The application shall demonstrate that the project will create a positive economic impact – through job creation and customer traffic generation - on a commercial area of the CRA that typically has a number of vacant commercial spaces. To meet this criterion, the building must be in very close proximity to other commercial spaces that would be the immediate beneficiary of increased economic activity.

**Summary Explanation and Background cont.**

4. The building to be leased shall be a building with minimum and maximum size requirements, that has been vacant for at least one year, and its location and size shall be deemed sufficient to meet the goal of creating a positive economic impact.
5. The project would have a business plan and an operating and marketing plan that must be approved by the CRA and become a part of an agreement that describes the project. The operating plan would contain a minimum requirement for the number of spaces to be leased at all times (i.e., a minimum occupancy rate must be maintained), and that at least one conventional business such as a coffee shop, sandwich shop, or restaurant be in operation at all times during the period of CRA support. The hours of operation must also be included.
6. Property owners may not be applicants for this type of grant.
7. A pro-forma and other financial information shall be included in the application as well as in monitoring reports should a grant be funded, to insure that grant support is truly needed.

CRA staff notes that a program cannot be created to serve one project. A program needs to be broad enough that a number of organizations and sites could apply, and needs to be funded to allow for a number of eligible applicants to submit applications and be properly considered for funding.

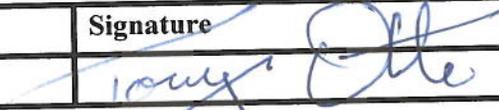
**Recommended Action/Motion:**

Staff requests discussion. If the CRA wishes to move forward with a program, CRA staff would prepare a standard program description as directed and would bring it to the January CRA meeting.

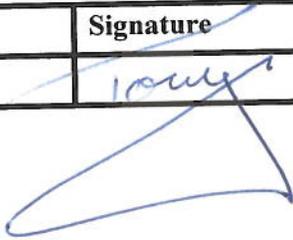
**Funding Analysis:** Budgeted   x   If not budgeted, recommend funding account:  
 Funding is not needed at this time. If a program expansion is developed, staff would review the CRA budget and make a recommendation for reducing some line items to fund the new program.

**Exhibits Attached:**

1. Selected pages from the Business Plan for the Hub.
2. Rent Subsidy Program – City of Boca Raton

Reviewed By:	Name	Signature
CRA Director	Tony Otte	

**Commission Action**



## The Hub on Canal Business Plan

### Executive Summary

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 branding and support the many local area artists, a group of NSB citizens banded together to create a downtown art space.

After much market research we feel that the property best suited to house the facility is The Brintech Building at 120, 124 and 132 Canal Street, New Smyrna Beach, FL 32168, in NSB's historic downtown, a fast-growing art district on the main artery of Canal Street.

The Hub on Canal is seeking an investor or group of investors who will purchase this property and allow The Hub on Canal a ten-year occupancy.

**Need:** New Smyrna Beach, like every other city is dealing with an economic downturn. Businesses have closed, some residences have been foreclosed and some of the city is blighted. Despite this New Smyrna Beach remains a city with a lot of potential. Whereas it is not a suitable location for industrial or light manufacturing development it has already been branded as an art community and destination for visitors and tourists. We need to enhance this image in order to attract tourism, expand the Volusia County tax and tourist base, and provide the best residential environment for people to relocate.

**Solution:** Is that we focus on the development of the arts and tourism. After much market research and analysis The Hub on Canal is proposing an endeavor that embraces a wide variety of art display and associated sales, varied learning programs, music, movies and live entertainment that will be attractive to tourists and enrich the quality of life for residents. In addition to gallery space, The Hub on Canal will sub-lease to artists with affordable studios where they can 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 common areas provide the perfect venue for private parties, conferences, weddings and other celebrations. All these activities are designed to bring new foot traffic to the Downtown and maximize The Hub on Canal's support of existing shops and restaurants.  
Location: center of Downtown on main street  
Suggested Hours: 11:00 a.m. to 9:00 p.m. Tuesday thru Thursday, 11:00 a.m. to 2:00 a.m. Fridays and Saturdays, 11:00 a.m. to 4:00p.m. Sundays.  
Designed to appeal to: cross-section of communities, cultures and ages.

**Return:** **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 Industry Market Research)

**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 Industry Market Research). 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 Industry Market Research).

**Target market:** 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 - 2011). The median house value in NSB is \$320,138. (City-Data.com & FI League of Cities – 2009/2010) Winter Park, (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-2009/2010).; Ormond Beach population of 38,000 median house value \$289,306 (City-Data.com & FI League of Cities-2009/2010).

**Business opportunity due to proximity to Orlando:**

The Metro-Orlando area boasts a 13.4 billion technology industry that employs close to 53,000 people.

A Torto Wheaton research study predicted that job growth in Orlando during the next five years will occur at the third fastest rate in the country. (University of Central Florida Business Incubation Report – 2011)

New Smyrna Beach is where many Orlando business people and residents have chosen to buy second homes.

## Finances

The Hub on Canal financial assumptions show potential ending cash balances of:

Year 1: operating at 25% vacancy capacity with \$90,000 memberships/sponsorships/CRA = \$ 5,344

Year 2: operating at 25% vacancy capacity with \$90,000 memberships/sponsorships/CRA = \$29,407

**Mission Statement:**

The mission of The Hub on Canal is to create community and business opportunities in our Downtown Historic District through art:

Art·Creating·Community

- HubArt Connection Inc. was incorporated May, 2011.
  - Sally Mackay – Chairman
  - Susan Stern – Vice-President/Secretary
  - Susan Ellis – Treasurer/IT
  - Nancy Barclay
  - William Preston, Esq.
  
- Employees – currently none; potential for upwards of six plus independent service contractors.
  
- Businesses, branches and subsidiaries – none.
  
- Services rendered – teaching location for The Surfscapes Contemporary Dance Theater; retail sales for artists, wine and coffee bar, educational classes and workshops, indie films and teleconferencing, live entertainment, and event rental.
  
- Banking relationships: BB&T operational account, escrow account and security deposit account.
  
- Company growth plans are:
  - to lease the premises for a minimum of ten years
  - options to purchase at five and ten years
  - offer a minimum of 3.5% return to investors
  - be self-sustaining
  - grow the programs as the market dictates
  
- Management’s future plans are:
  - employ a director, secretarial staff and programmer as required
  - develop an annual film festival,
  - develop an annual writers’ conference
  - program retreats, workshops, winter lecture series

\*\*\*\*\*

## Current Business Position

The Hub is both service and retail. We 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 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.

**1.1 Retail sales of art:** Twenty two small, self-contained booths have been spoken for for a year 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 include: one architect, two writers, four potters, three jewelers, three sculptors, one hand-crafted designer foot-ware artist, three fabric artists, five painters, one classical guitar teacher.

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 hope to attract the interest of tourists and winter visitors as well as area residents. Our on-going classes, workshops, movie shows and live entertainment will be selected to keep a constant stream of visitors passing through The Hub.

**1.2 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 networking with the wine/coffee bar will be essential.

**1.3 Affiliated businesses:** The Surfscapes Modern Dance Studios will exist as an independent business that leases space from The Hub on Canal. They plan to offer a variety of classes, master classes and community classes, that will include creative movement, ballet, modern dance, CardioDance, 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.

**1.4 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

2.1 **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. Community Redevelopment grants are available for any necessary renovation and fixed improvements.

**General locale:** The properties are situated in a picturesque, cosmopolitan area, one block from the marina and riverfront, in the 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.



2.2 **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 Association (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.

2.3 **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.

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.

#### 2.4 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 could be made available at Chamber of Commerce, Brannon Center and by lease arrangement with 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) An ongoing 'Life is an Art' program of ongoing, stimulating, amusing lectures and presentations for over 65 year olds presented by Dr. Richard Tucker, Professor Emeritus, UCF. At UCF, Orlando this program has 500 members plus 140 on a waiting list.
- d) A Winter Lecture Series of 6 – 12 weeks duration with distinguished speakers with experience in the subject.
- e) 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.
- f) Statewide competitions and shows in various mediums.

### Strategic and Market Analysis

3.1 **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-mic 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.

3.2 **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. Access to the Downtown CRA marketing consultant will be of prime importance.

3.3 **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 will offer high-caliber artwork of every kind.

#### 3.4 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 Industry Market Research)

**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 Industry Market Research) . 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.

An ongoing 'Life is an Art' program of ongoing, stimulating, amusing lectures and presentations for over 65 year olds presented by Dr. Richard Tucker, Professor Emeritus, UCF. At UCF, Orlando this program has 500 members plus 140 on a waiting list.

Weaving classes, quilting classes and workshops, personal memoir and local history groups, couples massage, digital photography and computer classes, Spanish and French language classes, gardening skills - pruning, composting, growing your own vegetables, landscaping - and workshops, oil painting, abstract painting, etc. will be held on a day-to-day and weekly schedule.

All these classes and workshops have people willing/volunteering to teach them. The Surfscapes Contemporary Dance Theater will be offering upwards of 25 different dance classes per week.



**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 Industry Market Research).

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).

**3.5 Customer profile:** More literary, well-educated people tend to enjoy the quiet, lifestyle of NSB and seek out lectures and workshops as a vacation experience or place to retire. Discretionary dollars for products like art and art-related courses and workshops tend to follow these residents, 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 - 2011). The median house value in NSB is \$320,138. (City-Data.com & FI League of Cities – 2009/2010)

Winter Park, (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-2009/2010).; Ormond Beach population of 38,000 median house value \$289,306 (City-Data.com & FI League of Cities-2009/2010).

The Metro/Orlando area boasts a \$13.4 billion high-technology industry that employs close to 53,000 people. There is a strong university system and an environment of technological innovation and infrastructure in place. This will be highly attractive to university research and development, partnership opportunities, organizations and facilities dedicated to helping high-tech companies and a highly skilled workforce.

A Torto Wheaton research study has predicted that job growth in Orlando during the next five years will occur at the third fastest rate in the country. The study also indicates that Orlando has the strongest economy in the state of Florida and is the 13<sup>th</sup> strongest out of 361 metro areas in the U.S. of A. Orlando will be a region that provides a solid economic base and room to grow with many job opportunities. (UCF Business Incubation Report – 2011)

People locating in Orlando to take advantage of these opportunities absolutely fit the profile of those who support and enjoy and expect art spaces such as The Hub on Canal.

Whoever the customer they will expect easy accessibility to our building, walk-ability to shopping and restaurant areas, pleasant surroundings and good service. Our tourists frequently ask for gifts & art unique to NSB. Visitors seem to want to engage and participate. All our workshops, art work and sales items will be programmed and priced accordingly.

**3.6 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 their different events. The Hub on Canal has no desire or motivation to be competitive. The growth of the Downtown Art District and the economy of the Downtown area will only result from networking 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. Considered by some to be elitist.

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

**Arts on Douglas:** a commercial gallery, owned by Ed and Jeanie Harris, founded in 1996 to promote Florida artists. Represents 57 artists. Split is 50/50. Location is in Downtown 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 Downtown 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 will keep a presence in Chamber of Commerce 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 Downtown 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 Downtown 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 on 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." SEV Observer.*

**Gifts with Humanity:** A very successful business retailing 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 Association:** 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.

**Board of Realtors and Chamber of Commerce:** supportive and interested in The Hub

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

4.0 Organizational Structure



**Executive Board:**

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

Susan Stern, Vice-chair/Secretary: clinical social worker in private practice, silver smith/jeweler, former boutique owner, mentor for Cudas Unhooked, Bert Fish Foundation Board member

Susan Ellis, Treasurer/IT: former member New Smyrna Beach Code Enforcement Board and Board of Adjustment, former lab supervisor, former property manager and campaign finance treasurer, photographer and amateur graphic designer

Nancy Barclay: real estate investor and manager

William Preston: attorney for trustees, wills, foundations, etc., Chairman, Bert Fish Foundation Board

**Steering Committee:**

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

James Hathaway: Vice-Mayor & NSB Commissioner, 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

Mike Nolan: businessman, former health food store owner

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

**Legal advice**

William Preston: attorney for trustees, wills, foundations, etc., Chairman, Bert Fish Foundation Board  
Jamie Peterson: attorney, CRA Board member

**Development Board:**

William Preston: lawyer for trustees, wills, foundations etc.  
Lynda Mays: former executive director of non-profit school, former board-member non-profit organizations.

**Executive Director:** *un-named at this time.*

**Movie Committee:**

Hal Spurney: experienced tech expert and home-theater executive  
Sallie Spurney: business woman; former CFO  
Steve Hardock: former member of VCCC, artist, video & film instructor; teacher  
Heath Jones: scriptwriter; film director/producer  
Jamieson Stern: actor, screenwriter, producer  
Matt Peterson: lawyer, musician (20-30's)

**Selection Committee:** *names will not be published.*

**Education Committee:**

Dick Tucker: Professor Emeritus UCF, founder of Lifelong Learning Program, President-elect  
Counsel on Aging  
Casey Blanton: Professor in Humanities DSC  
Debbie Dean: graduate of Mary Baldwin, University of Virginia and MFA from Vermont College of Fine Arts

**Financial:**

Susan Ellis: Board Treasurer, businesswoman, photographer  
Kay Nolan: former owner/operator of an art-center, artist

**Management:**

Lynda Mays: former executive director of non-profit school, former board-member non-profit organizations

**P.R.**

Diana Bardyn: journalist, marketing, writer, French teacher

## 5.0 Marketing Plan:

The Hub on Canal will use various high-impact marketing strategies that will promote the artists and the sale of their work, classes, workshops and events offered by The Hub, together with dances, movies and live entertainment.

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 AM 1230, WSBB radio and Athena Post will be continuous, as will information on Facebook, thehuboncanal.org, Surfscap Contemporary Dance Theater, CSHD website, CRA marketing consultant, Chamber of Commerce, and through other civic associations. Artists and tenants will help in promoting and marketing. Membership discounts will be available and there will be special events and networking promotional events with other agencies and businesses.

Websites: [www.thehuboncanal.org](http://www.thehuboncanal.org)

[www.surfscapedance.org](http://www.surfscapedance.org)

Please contact us at [thehuboncanal@gmail.com](mailto:thehuboncanal@gmail.com) or Sally Mackay at 386·235·4140.

Thank you.

HubArt Connection, Inc., Doing Business As The Hub on Canal  
A non-profit corporation  
45-2422374

## Business Opportunity for Investors

The Brintech property has been available for sale by Weichert Realty for an asking price of \$975,000 for three buildings, numbers 120, 124 and 132 Canal Street for over a year. There are two existing tenants in the front half of 120 and 124. The lease on 120 is month to month. The lease on 124 has approximately 12 months to go. The property was bought by Iron Creek Ventures in a bundle of foreclosed properties. There is an appraisal dated 2008 which is attached at the back of this business plan and quotes values of \$1,235,000 and \$1,335,000 with a market value of the underlying land at \$520,000.

The Hub on Canal understands that Iron Creek Ventures (ICV) will consider leasing the entire property for \$12/square foot/per year which would capitalize the buildings at around \$800,000. However, The Hub on Canal is actively seeking an investor or group of investors who would purchase the property and subsequently lease it to The Hub on Canal Inc. and affiliated businesses for a period of ten (10) years.

**6.1 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 was 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, Friscoe, Texas. ICV is motivated to sell. They will not split the buildings. We understand they will consider a lease to purchase and would be willing to hold paper.

**6.2 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 10,500 sq. ft.

**132 Canal Street** 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 been renovated with dry-wall finish and high ceilings. All restrooms have been renovated and 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 currently 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.

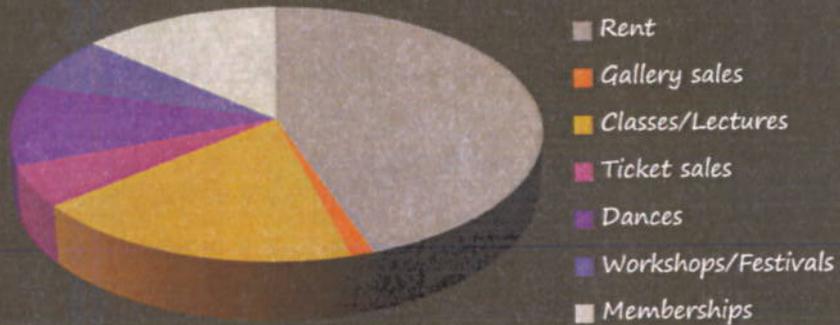
There is no parking associated with the property. However the City ordinances are becoming less demanding of parking requirements and the property is situated across from the Chamber of Commerce parking lot and adjacent to the Utilities Commission parking lot, both of which are vacant after 4 o'clock in the afternoon.

6.3 **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. and internal improvements providing they remain a part of the building. Note: Application does not guarantee that money will be awarded.

# Income Projection

At Full Capacity



# Expense Projection



**DRAFT ASSUMPTIONS SUBJECT TO CHANGE**

The Hub on Canal Pro Forma Cash Flow Statement - Scenario 1 - 25% Vacancy of Sub-Leases - Year 1													
	Mo. 1	Mo. 2	Mo. 3	Mo. 4	Mo. 5	Mo. 6	Mo. 7	Mo. 8	Mo. 9	Mo. 10	Mo. 11	Mo. 12	Totals
Fundraising/Donations	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	40,000
CRA contributions	4,545	4,545	4,545	4,545	4,545	4,545	4,545	4,545	4,545	4,545	4,545	4,545	50,000
Beginning Cash Balance	16,000	2,950	4,515	7,200	8,785	8,380	7,064	5,914	4,664	3,719	3,424	4,279	
Cash Inflows (Income)	1,998	4,143	4,143	4,143	4,143	4,143	4,143	4,143	4,143	4,143	4,143	4,143	47,565
Rent (3,652 sq. ft.)	130	269	269	269	269	269	269	269	269	269	269	269	3,092
Sales tax collected	2,127	4,412	4,412	4,412	4,412	4,412	4,412	4,412	4,412	4,412	4,412	4,412	50,657
Subtotal	400	600	800	800	400	400	465	465	470	400	700	700	6,600
Classes/Lectures (1)	533	799	1,065	1,065	525	570	620	620	620	525	930	930	8,801
Dances (2)	140	263	350	350	70	70	70	70	70	280	210	300	2,243
Gallery sales (3)	300	450	600	500	270	270	270	270	270	270	280	600	4,350
Live entertainment (4)	1,517	1,517	1,517	1,517	517	517	517	517	517	517	517	517	9,204
Memberships (5)	533	799	1,065	1,065	525	570	620	620	620	525	930	930	8,801
Movies (6)	100	150	200	200	200	200	200	200	200	200	200	200	2,250
Solo-gallery rental (7)	104	160	213	207	103	109	116	116	116	117	166	192	1,719
Sales tax collected	3,626	4,737	5,810	4,704	2,610	2,706	2,878	2,878	2,883	2,834	3,933	4,369	43,968
Subtotal	5,754	9,149	10,222	9,115	7,022	7,118	7,289	7,289	7,294	7,246	8,345	8,781	94,625
Total Cash Inflows	25,087	19,977	22,616	24,194	23,686	23,376	22,233	21,083	19,837	18,844	19,647	20,939	200,625
Available Cash Balance													
Cash Outflows (Expenses)													
Fixed Expenses:													
Rent	0	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	86,000
Sales tax - rent	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	14,004
Insurance	1,167	9,687	9,687	9,687	9,687	9,687	9,687	9,687	9,687	9,687	9,687	9,687	107,724
Subtotal													
Operating Expenses:													
Adv&Mkt	50	50	50	50	50	50	50	50	50	50	50	50	600
Bank chgs.	10	10	10	10	10	10	10	10	10	10	10	10	120
Cleaning	200	200	200	200	200	200	200	200	200	200	200	200	2,400
Contingencies	225	225	225	225	225	225	225	225	225	225	225	225	2,700
Credit card fees	200	200	200	200	200	200	200	200	200	200	200	200	2,400
Dues/Subscriptions	11	11	11	11	11	11	11	11	11	11	11	11	132
Office supplies	200	200	200	200	200	200	200	200	200	200	200	200	2,400
Movie expenses	700	700	700	700	700	700	700	700	700	700	700	700	8,400
Payroll-includes tax	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	20,000
Pest control	100	100	100	100	100	100	100	100	100	100	100	100	1,200
R&M	225	225	225	225	225	225	225	225	225	225	225	225	2,700
Sales tax - sales	104	160	213	207	103	109	116	116	116	117	166	192	1,719
Speakers/instructors	250	250	250	250	250	250	250	250	250	250	250	250	3,000
Security	178	178	178	178	178	178	178	178	178	178	178	178	2,136
Telephone/Wifi	100	100	100	100	100	100	100	100	100	100	100	100	1,200
Utilities	1,800	1,500	1,400	1,400	1,400	2,400	2,400	2,500	2,200	1,500	1,400	1,600	21,500
Subtotal	6,030	5,776	5,729	5,722	5,619	6,625	6,631	6,731	6,431	5,733	5,681	5,908	72,607
Start-up costs (see detail):	14,950												14,950
Total Cash Outflows	22,137	15,463	15,416	15,409	15,306	16,312	16,318	16,418	16,118	15,420	15,368	15,595	195,281
Ending Cash Balance	2,950	4,515	7,200	8,785	8,380	7,064	5,914	4,664	3,719	3,424	4,279	5,344	

The Hub on Canal Pro Forma Cash Flow Statement - Scenario 1 - 25% Vacancy of Sub-Leases - Year 2

	Mo. 1	Mo. 2	Mo. 3	Mo. 4	Mo. 5	Mo. 6	Mo. 7	Mo. 8	Mo. 9	Mo. 10	Mo. 11	Mo. 12	
Fundraising/Donations	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	40,000
CRA contributions	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	50,000
Beginning Cash Balance	5,344	9,061	13,078	17,264	21,351	23,448	24,635	25,987	27,239	28,796	31,003	34,360	Totals
Cash Inflows (Income)	6,848	6,848	6,848	6,848	6,848	6,848	6,848	6,848	6,848	6,848	6,848	6,848	82,170
Rent (3,652 sq. ft.)	445	445	445	445	445	445	445	445	445	445	445	445	5,341
Sales tax collected	7,293	7,293	7,293	7,293	7,293	7,293	7,293	7,293	7,293	7,293	7,293	7,293	87,511
Subtotal	800	800	800	800	800	800	800	800	800	800	800	800	7,200
Classes/Lectures (1)	1,065	1,065	1,065	1,065	1,065	1,065	1,065	1,065	1,065	1,065	1,065	1,065	9,600
Dances (2)	280	280	350	350	70	70	70	70	280	210	300	300	2,400
Gallery sales (3)	600	600	600	500	270	270	270	270	270	270	280	600	4,800
Live entertainment (4)	517	517	517	517	517	517	517	517	517	517	517	517	6,204
Memberships (5)	1,065	1,065	1,065	1,065	525	570	620	620	620	525	930	930	9,600
Movies (6)	200	200	200	200	200	200	200	200	200	200	200	200	2,400
Solo-gallery rental (7)	209	209	213	207	103	109	116	116	116	117	117	166	1,872
Subtotal	4,736	4,736	4,810	4,704	2,610	2,706	2,878	2,878	2,883	2,834	3,933	4,369	44,076
Total Cash Inflows	12,028	12,028	12,103	11,996	9,903	9,999	10,170	10,170	10,175	10,127	11,225	11,662	131,587
Available Cash Balance	24,872	28,589	31,680	36,761	38,754	40,947	42,306	43,657	44,914	46,423	49,728	53,522	226,931
Cash Outflows (Expenses)													
Fixed Expenses:													
Rent	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	104,000
Sales tax - rent	520	520	520	520	520	520	520	520	520	520	520	520	6,760
Insurance	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	14,004
Subtotal	9,687	9,687	9,687	9,687	9,687	9,687	9,687	9,687	9,687	9,687	9,687	9,687	118,207
Operating Expenses:													
Adv&Mkt	50	50	50	50	50	50	50	50	50	50	50	50	600
Bank chgs.	10	10	10	10	10	10	10	10	10	10	10	10	120
Cleaning	200	200	200	200	200	200	200	200	200	200	200	200	2,400
Contingencies	225	225	225	225	225	225	225	225	225	225	225	225	2,700
Credit card fees	200	200	200	200	200	200	200	200	200	200	200	200	2,400
Dues/Subscriptions	11	11	11	11	11	11	11	11	11	11	11	11	132
Office supplies	200	200	200	200	200	200	200	200	200	200	200	200	2,400
Movie expenses	700	700	700	700	700	700	700	700	700	700	700	700	8,400
Payroll-includes tax	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	20,000
Pest control	100	100	100	100	100	100	100	100	100	100	100	100	1,200
R&M	225	225	225	225	225	225	225	225	225	225	225	225	2,700
Sales tax - sales	209	209	213	207	103	109	116	116	116	117	166	192	1,872
Speakers/instructors	250	250	250	250	250	250	250	250	250	250	250	250	3,000
Security	178	178	178	178	178	178	178	178	178	178	178	178	2,136
Telephone/Wifi	100	100	100	100	100	100	100	100	100	100	100	100	1,200
Utilities	1,800	1,500	1,400	1,400	1,400	2,400	2,400	2,500	2,200	1,500	1,400	1,600	21,500
Subtotal	6,124	5,824	5,729	5,722	5,625	6,625	6,631	6,731	6,431	5,733	5,681	5,908	72,760
Total Cash Outflows	15,811	15,511	15,416	15,409	15,306	16,312	16,318	16,418	16,118	15,420	15,368	15,368	197,524
Ending Cash Balance	9,061	13,078	17,264	21,351	23,448	24,635	25,987	27,239	28,796	31,003	34,360	39,407	

Start-up cost detail:

Lease Deposits	8,000
Other deposits	200
Permits/licenses/fees	700
Adv&Mkt	300
Decorating	450
Fixtures/Equipment	1,000
Petty cash	200
Signage	700
Software	250
Supplies	150
Unanticipated expenses	3,000
<b>Total</b>	<b>14,950</b>

Note: The above financial assumptions are based on a rent of \$10.48/sq.ft. (\$8,000/mo. for 9,160 sq.ft.) The current range of rents on Canal Street equals \$8 to \$11 per sq. ft. (Chamber of Commerce data – 2011).

As shown the marketing of membership is currently shown at the minimum of one category only. Marketing opportunities will be ongoing.

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.

#### Income Notes:

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

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

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

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

(5) 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

(6) 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.

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

## DRAFT ASSUMPTIONS SUBJECT TO CHANGE

### Justification of income assumptions.

#### **(1) Sub-leased spaces**

Total sub-lease space = 3,652 sq ft per month  
Potential artist booths = 2,222 sq ft = \$3,333 yr 1; \$5,555 yr 2  
Dance studio = 722sq ft = \$1,625 yr 1; \$1,805 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.

**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.

**Suites 1-22A:** rent at \$1.50 per sq ft/ mo in year 1, increasing to \$2.50 thereafter. Current tenant list includes: 8 painters, 2 potters, 1 shoemaker, 1 classical guitar teacher, 2 writers, 3 jewelers, 1 glassmaker, 2 fabric artists, 2 sculptors/bas relief, 1 architect.

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

#### **(4) 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.

#### **(5) 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.

#### **(6) 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-rang 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.

Promotional opportunities exist with local businesses and restaurants sponsoring specific movies.

#### **(7) 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 \$10.00; 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





City of Boca Raton - Economic Development - Windows Internet Explorer

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City of Boca Raton - Economic Development

## Economic Development



Friday, December 02, 2011

- Incentive Programs**
- » City Website
- » Business Development Partners
- » Community Attributes
- » Community Sustainability
- » Contact Us
- » Corporate Headquarters in Boca Raton
- » Corporate News
- » Community Redevelopment Agency (CRA)
- » Demographics
- » Education
- » History
- » Incentive Programs
- » Location
- » Transportation & Technology
- » Main Page

### Rent Subsidies

The Rent Subsidies Program is a method to create a positive economic impact on the community. Examples of such impact are job creation, creation of economic traffic, having the potential to attract additional businesses, and/or contributing to the improvement of the vitality of existing businesses. The Rent Subsidies Program is intended to target and recruit new businesses that provide a significant and unique enhancement in the area to which it is relocating. To be eligible for this program, a business or company must: create new jobs, increase the City tax base through the additional employment, become a catalyst for future business development, and generate economic traffic

This program targets specific types of businesses to locate in the City, and/or attracts businesses to specific areas of the City. Therefore, this program could target both businesses and companies from outside the City and businesses and companies relocating from other areas of the City.

This grant program provides matching grants of up to \$75,000 for up to 75% of the first year's annual rent or lease payments of businesses moving into existing vacant building space. Existing businesses expanding into larger space may also qualify for the program based on the economic impact of their expansion.

The Rent Subsidies Program is based on and requires a five year lease, in which the City pays up to \$75,000 for up to 75% of the annual rent or lease amount for the initial year, up to \$50,000 for up to 50% of the annual rent or lease amount for the second year, up to \$25,000 for up to 25% of the annual rent or lease amount for the third year, and the tenant pays the full amount for the fourth and fifth year.

**Eligibility:** To be eligible for the Rent Subsidies Program, a company or business must demonstrate that it meets the following eligibility criteria, by demonstrating that the company:

1. Is creating jobs
2. Is financially stable
3. Has been in business for at least two years
4. Is a business targeted by the City for creating a positive economic impact on the City, or a particular area of the City, through job creation, creation of economic traffic, having the potential to attract additional businesses, and/or contributing to the improvement of the vitality of existing businesses
5. The company or business will bring a significant potential for economic growth to the community, not just with the company or business itself, but also with affiliated and secondary businesses
6. Has a complete and detailed business plan

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http://www.ci.boca-raton.fl.us/ncodes/incentives.shtm

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City of Boca Raton - Economic Development

### Rent Subsidies

**Incentives:** The City requires a commitment from the business or company to occupy the space for a minimum of five years. The City will provide a grant of up to \$75,000 for up to 75% of the rent or lease amount for the initial year of the five year lease, up to \$50,000 for up to 50% of the rent or lease for the second year of the lease and up to 25,000 for up to 25% of the rent or lease for the third year of the lease. The business or company will pay the full amount of the lease in the fourth and fifth year of the lease.

Should the business or company be unable to occupy the space for the full five years, or otherwise meet the conditions of the Rent Subsidy Program, the applicant will be required to repay a pro-rated share of the grant.

Grant payment shall be made by the City to the landlord. As part of the Rent Subsidies Program, the tenant space must be fully renovated and upgraded.

**Application Process:** The application process for the Rent Subsidies Program is a written application to the City providing sufficient documentation to verify that the business or company meets the eligibility criteria and the application evaluation criteria. Applications must include a business plan, a copy of the lease, the number of employees who will working at the lease location, and an explanation of the economic impact of the business.

In addition, an analysis of the cost of the lease for the five year lease amount on a square footage basis must be submitted, demonstrating that the total lease amount is market rate defined as a rate equal to or less than the average square foot cost for similar space within the City and within the immediate area of the building space to be leased.

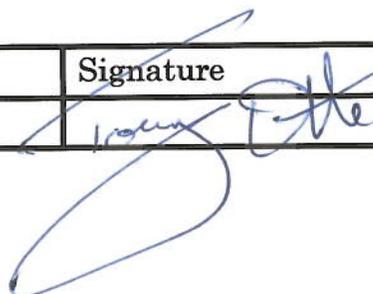
Representatives from the City and the company or business will discuss the proposed location/relocation in detail to determine if it meets the criteria for this program. Based on the grant eligibility criteria, the specifics of the proposed business plans including financial information, and the application evaluation factors outlined in this policy, the City will review the application. If the application is approved, the City and the company or business will execute a Lease Subsidy Agreement. If incentives are awarded based on the creation of jobs, the jobs must be maintained throughout the incentive period

201 W. Palmto Park Road  
Boca Raton, FL 33432 (Map)

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# ***NEW BUSINESS***

## CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte								
Meeting Date: December 7, 2011								
Action Item Title: Flagler Ave Pipelining - Bid Award to Miller Pipeline Corporation								
Agenda Section: Consent <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input type="checkbox"/>								
<p><b>Summary Explanation and Background:</b></p> <p>The City received sealed bids for stormwater pipelining services for two (2) locations, Flagler Avenue and Fairway Circle, which were publically opened on November 21, 2011 at 2:00pm. The bids were as followed:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">American Infrastructure Technologies</td> <td style="text-align: right;">\$378,190.00</td> </tr> <tr> <td>Reynolds Inliner, LLC</td> <td style="text-align: right;">\$287,615.00</td> </tr> <tr> <td>Miller Pipeline Corporation</td> <td style="text-align: right;">\$279,935.00</td> </tr> </table> <p>Staff recommends awarding the bid to Miller Pipeline at the total amount of \$279,935, which includes two (2) separate projects: the 1<sup>st</sup> being to line the existing stormwater pipe on Flagler Ave (from N Peninsula Ave to N Atlantic Ave) and the 2<sup>nd</sup> to line the existing stormwater pipe on Fairway Circle. CRA funds are to pay for the Flagler Ave pipelining in the amount of \$266,705 and City Stormwater funds are to pay for the Fairway Circle pipelining in the amount of \$13,230.</p> <p>The Flagler Avenue stormwater pipe is in dire need of repair or replacement due to the location of the pipe and the circumstances surrounding this street as being a high commercial district use. The conventional method of opening the street to repair is not recommended. Pipelining the existing stormwater pipe is the most convenient and less disruptive method to repair the pipe, and staff fully recommends this work.</p>			American Infrastructure Technologies	\$378,190.00	Reynolds Inliner, LLC	\$287,615.00	Miller Pipeline Corporation	\$279,935.00
American Infrastructure Technologies	\$378,190.00							
Reynolds Inliner, LLC	\$287,615.00							
Miller Pipeline Corporation	\$279,935.00							
<p><b>Recommendation:</b></p> <p>Staff recommends awarding the bid to Miller Pipeline at the total amount of \$279,935.00 in which \$266,705 will be funded by the CRA.</p>								
<p><b>Funding Analysis:</b> Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account: Acct # 567778</p>								
<p><b>Exhibits Attached:</b> Bid Sheet and Miller Pipeline's Bid</p>								
Reviewed By:	Name	Signature						
CRA Director	Tony Otte							
<p><b>Commission Action</b></p>								

## Pipelining of Flagler Ave & Fairway Circle - 2011

Item	Description	Qty	Unit	American Infrastructure Technologies		Reynolds Inliner, LLC		Miller Pipeline Corporation	
				Unit Price	Cost	Unit Price	Cost	Unit Price	Cost
<b>1</b>	<b>Flagler Ave</b>								
a.	from River to Peninsula - 18" RCP	560	LF	90.00	\$50,400.00	69.50	\$38,920.00	72.00	\$40,320.00
b.	from Peninsula to Pine St - 18" RCP	700	LF	82.00	\$57,400.00	69.50	\$48,650.00	72.00	\$50,400.00
c.	from Pine St to Cooper St - 30" RCP	760	LF	160.00	\$121,600.00	120.00	\$91,200.00	128.00	\$97,280.00
d.	from Cooper St to N. Atlantic Ave - 45"X28" RCP	530	LF	241.00	\$127,730.00	172.00	\$91,160.00	148.50	\$78,705.00
	<b>Flagler Ave Total:</b>				<b>\$357,130.00</b>		<b>\$269,930.00</b>		<b>\$266,705.00</b>
	<b>Fairway circle</b>								
a.	between Fairway Cir & 8 Fairway Cir - 15" Concrete	270	LF	78.00	\$21,060.00	65.50	\$17,685.00	49.00	\$13,230.00
	<b>Fairway Circle Total:</b>				<b>\$21,060.00</b>		<b>\$17,685.00</b>		<b>\$13,230.00</b>
	<b>Total Bid:</b>				<b>\$378,190.00</b>		<b>\$287,615.00</b>		<b>\$279,935.00</b>

# BID PROPOSAL

## Pipelining Flagler Ave & Fairway Circle - 2011 CITY OF NEW SMYRNA BEACH, FLORIDA

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

Nov. 18 \_\_\_\_\_, 2011

Dear Mrs. Brangaccio:

Pursuant to and in compliance with your ADVERTISEMENT FOR BID dated October 31<sup>st</sup>, 2011 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 Pipelining Flagler Ave & Fairway Circle-2011, CITY OF NEW SMYRNA BEACH, VOLUSIA COUNTY, FLORIDA, all as required by and in strict accordance with the Contract Documents, Schedules and Drawings, at the prices listed below.

### Pipelining Flagler Ave & Fairway Circle - 2011

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Cost</u>
1.	<b><u>Flagler Ave</u></b>				
a.	from River to Peninsula Ave 18" RCP	560	LF	\$ <u>72.00</u>	\$ <u>40,320.00</u>
b.	from Peninsula to Pine St 18" RCP	700	LF	\$ <u>72.00</u>	\$ <u>50,400.00</u>
c.	from Pine to Cooper St 30" RCP	760	LF	\$ <u>128.00</u>	\$ <u>97,280.00</u>
d.	from Cooper to N. Atlantic Ave 45"x28" RCP	530	LF	\$ <u>148.50</u>	\$ <u>78,705.00</u>
2.	<b><u>Fairway Circle</u></b>				
a.	Between 6 Fairway Cir & 8 Fairway Cir - 15" Concrete	270	LF	\$ <u>49.00</u>	\$ <u>13,230.00</u>

**TOTAL - \$ 279,935.00**

TOTAL BID: Two Hundred Seventy-Nine Thousand Nine Hundred

Thirty-Five Dollars and No Cents

(Use Words)

\$ 279,935.00

(Figures)

BID PROPOSAL - 1

The undersigned bidder agrees to commence work within 10 (ten) CALENDAR DAYS after the date of the Notice to Proceed letter, and shall complete the work within FORTY FIVE DAYS (45) thereafter.

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 obstructions which will be encountered in doing the proposed work.

Enclosed is security consisting of Bid bond in the amount of \$27,994.00

The undersigned hereby designates Miller Pipeline LLC  
8850 Crawfordsville Rd.  
Indianapolis, IN 46234

(Type or print business name and address)

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

DATED: November 18, 2011

Nina Turner, Asst. Secretary/Treasurer  
Name of Bidder and Title (Type or Print)

(SEAL, if by a Corporation)

BY: Nina Turner  
Signature of Bidder

Miller Pipeline LLC

8850 Crawfordsville Rd.

Indianapolis, IN 46234

Corporation Name & Address

BID PROPOSAL - 2

## CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte										
Meeting Date: December 7, 2011										
Action Item Title: US1 at Canal Street – Metric Engineering Proposal to Design Hardscape Improvements										
Agenda Section: Consent <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input type="checkbox"/>										
<p><b>Summary Explanation and Background:</b></p> <p>As part of the improvements to US1 and Canal Street, we have asked Metric Engineering to submit a proposal to incorporate a gateway feature design at the intersection. Attached please find the proposal in the amount of \$38,544.85 that includes:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">Hardscape Aesthetics</td> <td style="text-align: right;">\$20,194.27</td> </tr> <tr> <td>Structural Design (Mast Arm)</td> <td style="text-align: right;">\$ 8,856.46</td> </tr> <tr> <td>Project Management &amp; Coordination</td> <td style="text-align: right;"><u>\$ 9,504.12</u></td> </tr> <tr> <td></td> <td style="text-align: right;"><u>\$38,554.85</u></td> </tr> </table> <p>This is to piggyback on the FDOT Contract with Metric Engineering.</p>			Hardscape Aesthetics	\$20,194.27	Structural Design (Mast Arm)	\$ 8,856.46	Project Management & Coordination	<u>\$ 9,504.12</u>		<u>\$38,554.85</u>
Hardscape Aesthetics	\$20,194.27									
Structural Design (Mast Arm)	\$ 8,856.46									
Project Management & Coordination	<u>\$ 9,504.12</u>									
	<u>\$38,554.85</u>									
<p><b>Recommendation:</b> Staff recommends approval of the proposal from Metric Engineering in the amount of \$38,554.85</p>										
<p><b>Funding Analysis:</b> Budgeted <input type="checkbox"/> If not budgeted, recommend funding account: Account # 12051502-567920</p>										
<p><b>Exhibits Attached:</b> Proposal from Metric Engineering and FDOT Contract</p>										
Reviewed By:	Name	Signature								
CRA Director	Tony Otte									
Commission Action										

12/13/11

**Resheidat, Khalid**

---

**From:** Rhet Schmidt [RSchmidt@metriceng.com]  
**Sent:** Tuesday, November 15, 2011 1:03 PM  
**To:** Resheidat, Khalid  
**Cc:** Dennisse.Zornan@dot.state.fl.us; Brian Fuller  
**Subject:** US-1 & Canal Street Intersection Imp. - Aesthetic Features Revised Staffhour Estimte (FPID:240992-5)  
**Attachments:** US-1 & Canal Aesthetic Features Staff Hour Estimate FPID 240992-5.pdf

Khalid,

Please find attached to this email the revised staff hour estimate for the aesthetic improvements on the subject project. As requested, the gateway arches have been removed from scope of the improvements.

The original estimate including the gateway arches was:

Landscape Architect (Gateway, & Hardscape Aesthetics) : \$36,774.77  
Structural Design (Gateway): \$54,403.15  
Project Management and Coordination (for the Aesthetic Features into the Roadway Signing and Pavement Marking & Signal Plans): \$8,000 (Estimated)  
Total Approximate Design Cost = \$100K

The Revised estimate without the gateway arches is:

Landscape Architect (Hardscape Aesthetics) : \$20,194.27  
Structural Design (Mast Arm Aesthetics): \$8,856.46  
Project Management and Coordination (for the Aesthetic Features into the Roadway Signing and Pavement Marking & Signal Plans): \$9,504.12  
Total Estimate for Design = \$38,554.85 X

Please feel free to contact me should you have any questions.

Thank you,

Rhet



**Rhet L. Schmidt, P.E.**

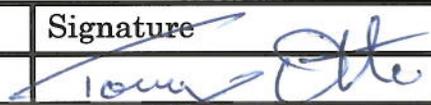
Vice President - Central Florida Regional Manager

**METRIC ENGINEERING, INC.**

615 Crescent Executive Court, Suite 524  
Lake Mary, FL 32746  
Phone: 407.644.1898

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## CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: December 7, 2011		
Action Item Title: Washington St Streetscape Project/Options on FEC Portion		
Agenda Section: Consent _____ Public Hearing _____ Special Items <input checked="" type="checkbox"/>		
<p><b>Summary Explanation and Background:</b></p> <p>The Washington St Streetscape project is moving forward with design and we are close to 100% design. In the meantime, the improvement at the FEC pedestrian crossing is up for discussion. The cost of construction for this portion is approximately \$500,000 and that includes sidewalks on both sides of the streets with the proper safety pedestrian features. TPO might have some funds but it's not guaranteed and it might take 2-3 years minimum. At this point we have the following available options to choose from:</p> <ol style="list-style-type: none"> <li>1. Do not do anything and wait for the grant from TPO.</li> <li>2. Do the sidewalk on both sides up to Dimmick and leave the area from Dimmick east to US-1 with no sidewalks.</li> <li>3. Do sidewalks on both sides including the FEC pedestrian crossing and the CRA &amp; city will fund the entire portion at an estimated cost of \$500,000 that will not be reimbursable by TPO.</li> <li>4. Do sidewalk on the north side only including the FEC pedestrian crossing at an estimated cost of \$300,000. Apply for grant with the TPO for the sidewalk on the south side and construct when funding is available.</li> <li>5. Construct the sidewalks on both sides up to the FEC right-of-way only without the FEC pedestrian crossing</li> </ol> <p>After discussing these options with CRA Director and staff, it was decided that option #4 will be the most safe and feasible option. This portion will be funded by CRA and the sidewalk will be installed on the north side only with the FEC pedestrian crossing on one side as well. CRA will apply for a grant for the south side through the TPO and will be constructed when the funds and grants are available through TPO at a later date.</p>		
<p><b>Recommendation:</b> Staff recommends Option # 4 with installing sidewalk on the north side only with FEC pedestrian crossing.</p>		
<p><b>Funding Analysis:</b> Budgeted _____ If not budgeted, recommend funding account: Acct # 567781</p>		
<p><b>Exhibits Attached:</b> <i>None</i></p>		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
<p><b>Commission Action</b></p> <div style="text-align: center; margin-top: 20px;"></div>		

## CRA AGENDA ITEM SUMMARY

<b>Staff Member Making Request:</b> Claudia Soulie		
<b>Meeting Date:</b> December 7, 2011		
<b>Action Item Title:</b> Small-Scale Grant Application: 214 N. Orange Street – NAPA Auto Parts		
<b>Agenda Section:</b> Consent _____ Public Hearing _____ Special Items <u>  x  </u>		
<p><b>Summary Explanation and Background</b></p> <p>The applicant is proposing to landscape his property to include trimming of Oak trees and Sabal Palm trees; parking lot repairs as well installation of plants and mulch at a total cost of \$2,770. The contractor is a local business from New Smyrna Beach.</p> <p>The application has received the necessary points to qualify for consideration and staff recommends approval in the grant amount of \$2,500 contingent that permits are obtained. The scope of work also includes removal of five (5) Sabal Palm trees. Approval is also contingent that the applicant replaces or mitigates the trees, should it be deemed necessary by the City.</p>		
<p><b>Recommended Action/Motion:</b></p> <p>Approve the application in the no-match funding amount of \$2,500.</p>		
<p><b>Funding Analysis:</b> Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:</p> <p>Account number 120.51502.583001, which currently has a balance of \$350,415.</p>		
<p><b>Exhibits Attached:</b></p> <ol style="list-style-type: none"> <li>1. Package submitted by the applicant</li> <li>2. Score Sheet</li> </ol>		
<b>Reviewed By:</b>	<b>Name</b>	<b>Signature</b>
CRA Director	Tony Otte	
<b>Commission Action</b>		

## Property Improvement Grants Funding Evaluation

Property Address: 214 N. Orange Ave - Napa Auto Parts

Did Applicant attend pre-application conference: YES  NO

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

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

Circle a Score  
for each category

#### Compliance with Guidelines:

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

#### Location:

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

#### Overall Impact / Improvements:

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

#### Quality of Work Proposed:

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

#### Present Use:

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

#### Bonus Points:

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

Total 15

CITY OF NEW SMYRNA BEACH  
COMMUNITY REDEVELOPMENT AGENCY

APPLICATION FORM

SMALL-SCALE IMPROVEMENTS GRANT PROGRAM

(Exterior Improvements – Property owners only)

APPLICANT NAME: EDWARD & CATHERINE AFTRUCK

PROPERTY ADDRESS: 214 N. ORANGE ST. NEW SMYRNA BCH, FL 32168

TELEPHONE: 386 428-4260 (DAY) 386 314-6742 (EVENING)

EMAIL ADDRESS: EAFTRUCK@Bellsouth.net

**TYPE OF IMPROVEMENT PLANNED:**

Exterior \_\_\_\_\_ Painting \_\_\_\_\_ Landscape X Electrical \_\_\_\_\_  
Signage \_\_\_\_\_ Awning \_\_\_\_\_ Parking Area \_\_\_\_\_ Other \_\_\_\_\_

**PROJECT PROPOSAL ON IMPROVEMENTS**

All Small-Scale Improvements Grant Applications must be approved by the CRA prior to work commencing. The following information must be included with the application.

1. Application signed by the applicant, who is the property owner.
2. A detailed summary of the scope of work to be performed.
3. A cost estimate from a local contractor broken down into scope of work line items (costs subject to verification)
4. Color photographs clearly showing existing conditions of the property to be improved.
5. Conceptual plans detailing the scope of work that will be required at the time of application.
6. Samples of all paint and material colors as well as awning materials to be used on the building and signage.
7. Applicant shall provide documentation from Planning Department and Building Department staff that the proposed project appears to meet permit requirements (available after pre-application meeting)

ESTIMATED TOTAL COST OF PROPOSED IMPROVEMENTS: \$ 2770-

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ 2500-

ESTIMATED START DATE: 12/1/11

ESTIMATED COMPLETION DATE: 12/7/11

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

1. **To follow the design** recommendations as approved by the Community Redevelopment Agency.
2. **To adhere** to the Application Procedures and Guidelines and the Grant Agreement as specified.
3. To use local contractors and materials from local suppliers to the greatest extent possible and that I may perform work as allowed by applicable codes, but **will not be** compensated for my time.
3. **That I shall incur** all project costs and receive approved grant **reimbursement** only after:
  - A. All improvements have been **completed**.
  - B. **Final Inspection** of the improvements is approved.
  - C. **Proof of Payment** for project costs has been received.
  - D. All City Permits (if applicable) have been **inspected/finalized** by Building staff
4. Funding received under this grant program will be deducted from any future grant applications I may submit to the CRA
5. Additional improvements or changes not approved will not be funded.

I ACKNOWLEDGE THAT I HAVE RECEIVED AND UNDERSTAND THE DESIGN GUIDELINES (if applicable), THE SMALL-SCALE IMPROVEMENT GRANT PROGRAM GUIDELINES AND THE GRANT AGREEMENT.

Edward Aftuck  
Applicant Signature

EDWARD AFTUCK  
Print Name

11/2/11  
Date

## Soulie, Claudia

---

**From:** Cathy Aftuck [cathy.aftuck@bellsouth.net]  
**Sent:** Wednesday, November 02, 2011 10:41 AM  
**To:** Soulie, Claudia  
**Subject:** 214 N Orange

Claudia, I am in agreement with the improvements to be made at 214 N. Orange St. as presented to you by my husband Ed Aftuck.

Thanks, Cathy Aftuck

Pro Care Landscaping & Design, Inc.

# Estimate

P. O. Box 627  
 New Smyrna Beach, FL 32170  
 Voice: (386) 423-7987  
 Fax: (386) 428-9568

DATE	ESTIMATE NO.
10/24/11	390

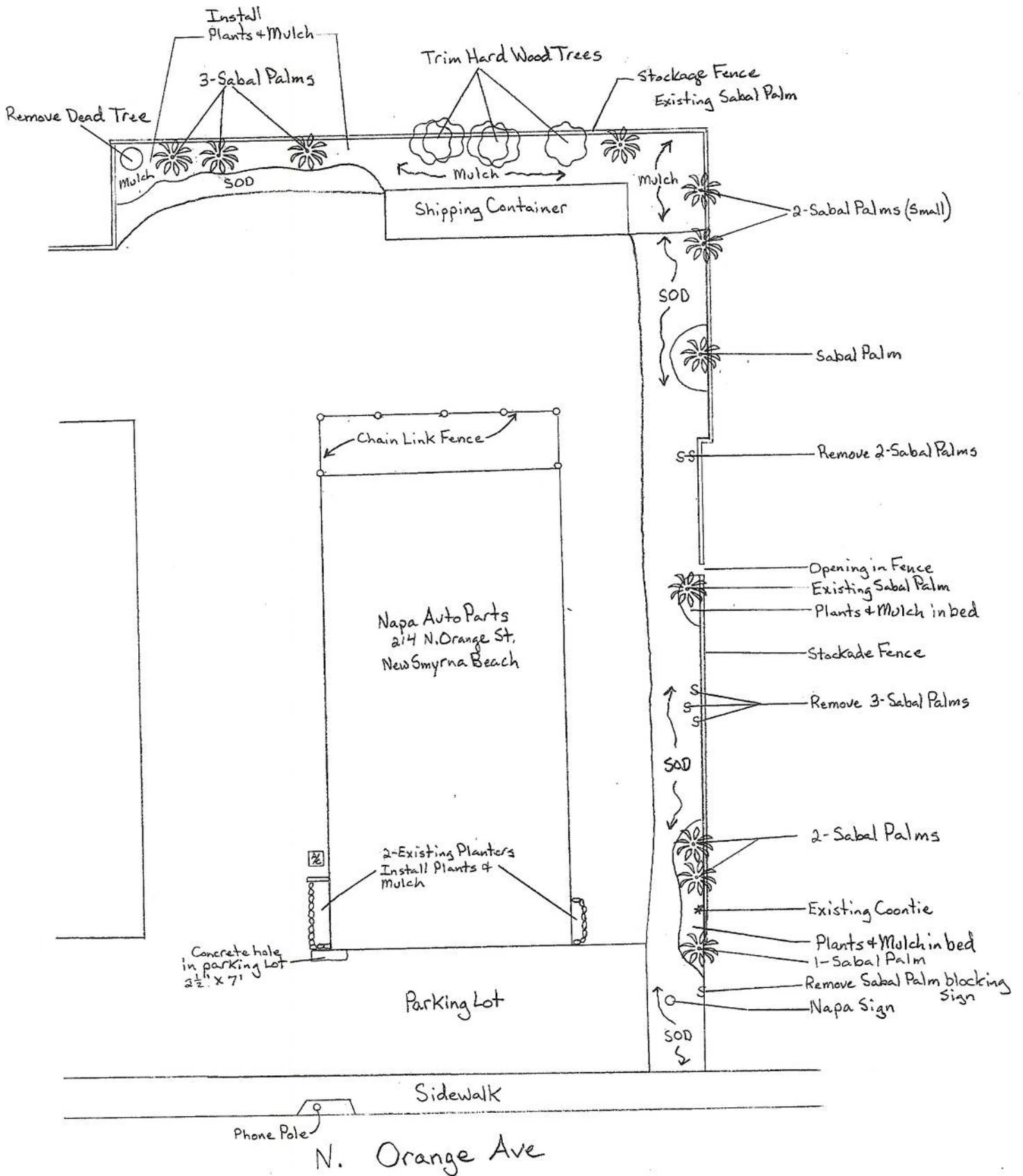
NAME / ADDRESS
Eward Aftuck 824 N. Dixie Freeway New Smyrna Beach, FL 32168

TERMS	REP
Due on receipt	HVY

DESCRIPTION	QTY	Unit \$	TOTAL
Landscape Estimate for Napa Auto Parts, 214 North Orange Street New Smyrna Beach FL. Per Landscape Plan # L-1 Dated 10/24/2011			
Labor and Equipment to trim up 5 Oak trees in rear of storage container, Trim 9 Sabal Palm trees, Remove 5 Sabal Palms (tagged), Grind stumps, clear vines off chain link fence behind building, Mix 8 bags of concrete and fill in hole in front parking lot, clean up and haul away all debris (tree trimmings, tile, junk ect.)	1	1,500.00	1,500.00
Install 1,600 Sq. Ft. (4-400 sq. ft. pallets) of Bahia Sod	4	140.00	560.00
Install 10 cubic yards of Red Designer Mulch	10	47.00	470.00
8- Bags of concrete for hole in Parking lot	8	5.00	40.00
Apply 2 applications of round up to areas getting plant material and mulch	2	50.	100.00
Install 50 - 4" container Plants (Mulhly Grass, Love Grass, Blanket Flower's) planted in various flower beds thought out property	50	2.00	100.00

**TOTAL** \$2,770.00

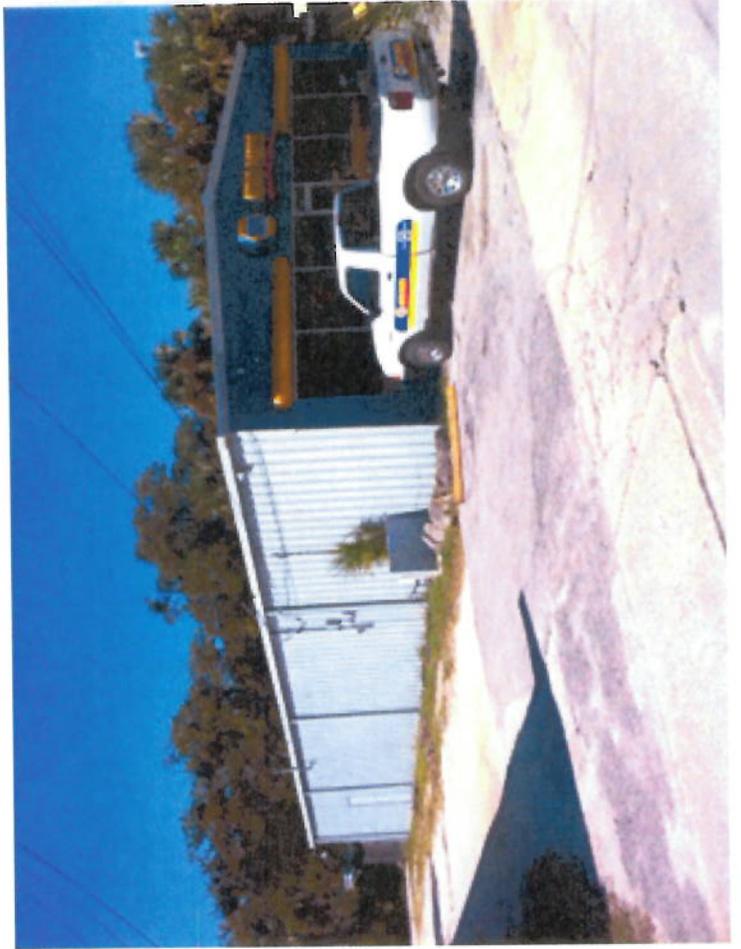
Warranty on plants is 90 days, unless damage or death of plants is due to homeowner neglect, acts of God, Mother Nature or Governmental restrictions on watering. There is no warranty on any plant material without an automatic irrigation system or with inadaquit irrigation. Sod is not under warranty and the homeowner is responsible for the up keep. Irrigation system warranty is 1 year on parts and 90 days on labor.

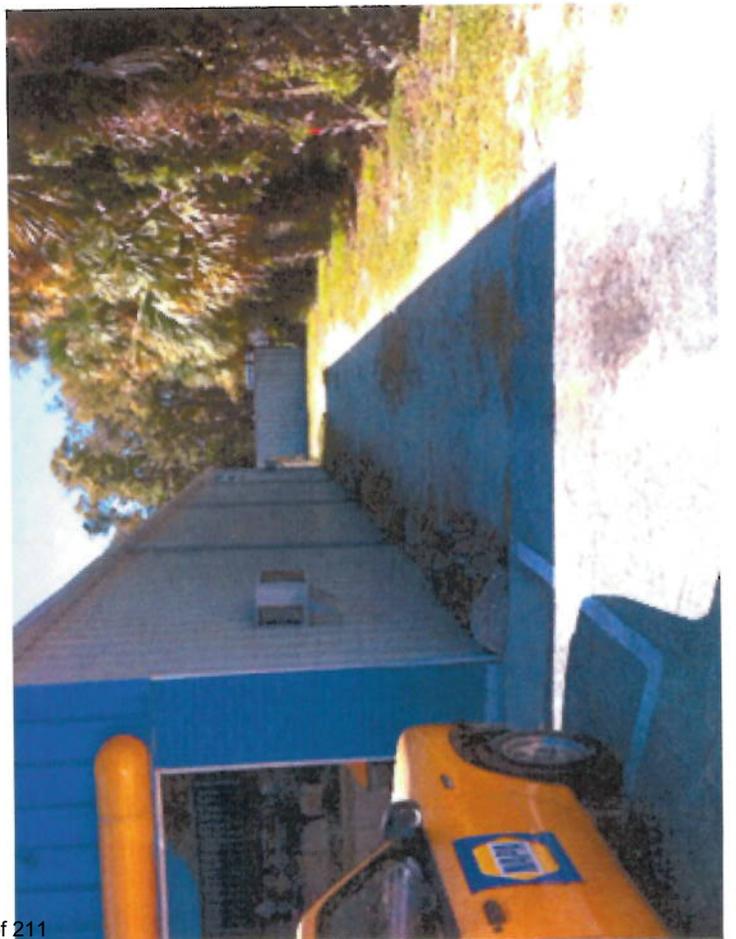
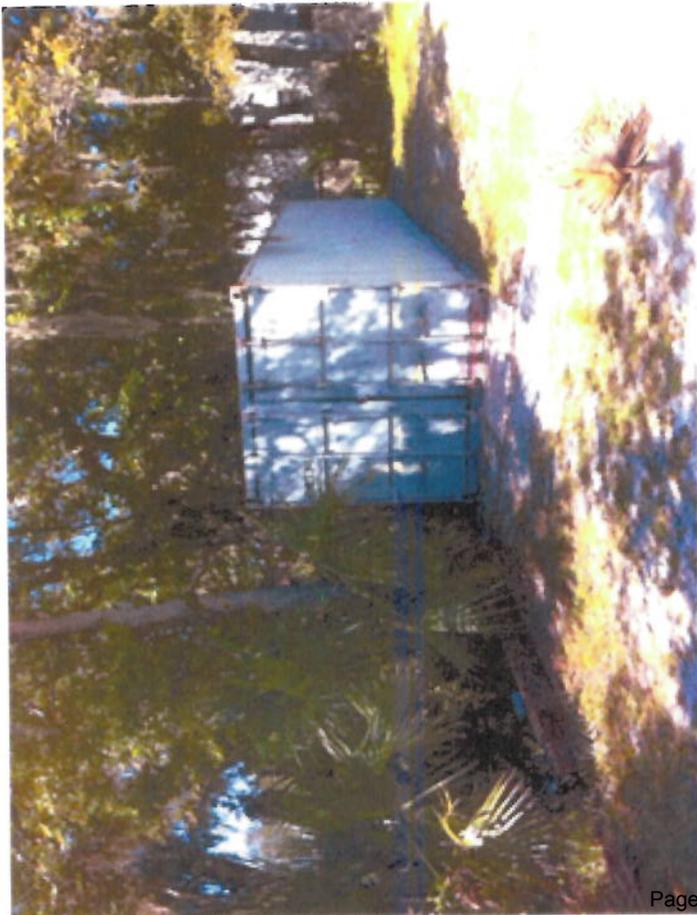
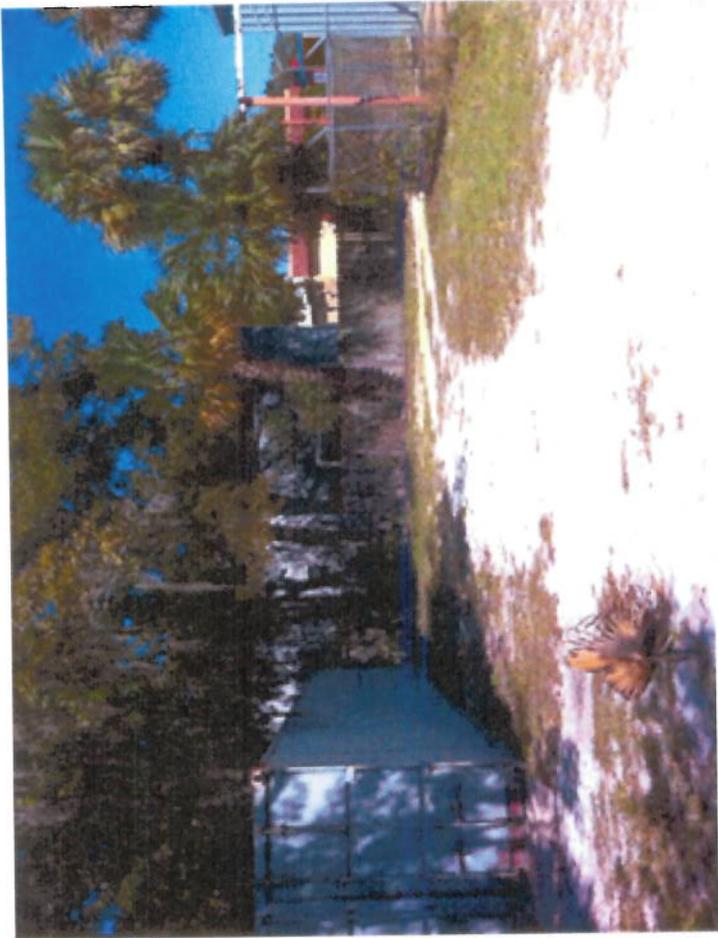


**Landscape Notes**

Labor and Equipment to trim up 5 Oak trees in rear of storage coontainer, Trim 9 Sabal Palm trees, Remove 5 Sabal Palms (tagged), Grind stumps, clear vines off chain link fence behind building, Mix 8 bags of concrete and fill in hole in front parking lot, clean up and haul away all debris (tree trimmings, tile, junk ect.)  
 Install 1,600 Sq. Ft. (4-400 sq. ft. pallets) of Bahia Sod  
 Install 10 cubic yards of Red Designer Mulch  
 8- Bags of concrete for hole in Parking lot  
 Apply 2 applications of rounded up to areas getting plant material and mulch  
 Install 50 - 4" container Plants (Mudly Grass, Love Grass, Blanket Flower's) planted in various flower beds thought out property

Napa Auto Parts 214 N. Orange Ave NSB			
SCALE	NTS	DRAWN BY	HVY
DATE	10-24-11	REVISED	
Owner: Edward Aftuck			
ProCareLandscaping+Design, Inc			DRAWING NUMBER
			L-1





# CRA AGENDA ITEM SUMMARY

**Staff Member Making Request:** Claudia Soulie

**Meeting Date:** December 7, 2011

**Action Item Title:** Combined Grant Application: 600 W. Canal Street – Kim’s Food and Gas, Inc.

**Agenda Section:** Consent \_\_\_\_\_ Public Hearing \_\_\_\_\_ Special Items  X

**Summary Explanation and Background**

This applicant is proposing improvements to the parking lot and business sign as well as painting of the building.

The cost estimates were submitted as follows.

- Sign work.....\$ 1,102.00
- Painting.....\$ 1,475.00
- Paving.....\$ 8,400.00
- Contractor Permit fee estimates.....\$ 300.00

The estimates for the scopes of work total **\$11,277** (CRA funding request **\$5,638.50**). The applicant was informed that staff will require receipts from the contractors for all work performed and from the Building Department showing the actual cost for permit fees.

Staff has met on-site with the applicant and pertinent City personnel and the scope of work was conceptually accepted.

The application has received the necessary points to qualify for consideration and staff recommends approval. Approval is contingent upon the applicant obtaining the necessary permit(s).

**Recommended Action/Motion:**

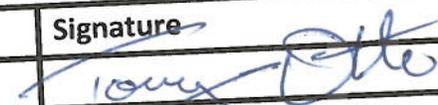
Approve the application in the funding amount of \$5,638.50.

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

Account number 120.51502.583001, which currently has a balance of \$350,415.

**Exhibits Attached:**

1. Package submitted by the applicant
2. Score sheet

<b>Reviewed By:</b>	<b>Name</b>	<b>Signature</b>
CRA Director	Tony Otte	
<b>Commission Action</b>		

**Property Improvement Grants  
Funding Evaluation**

Property Address: 600 Canal Street - Kim's Food & Gro

Did Applicant attend pre-application conference: YES  NO

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

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

Circle a Score  
for each category

**Compliance with Guidelines:**

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

**Location:**

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

**Overall Impact / Improvements:**

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

**Quality of Work Proposed:**

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

**Present Use:**

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

**Bonus Points:**

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

**Total** 19

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

**APPLICATION FORM**

**COMBINED GRANT PROGRAM**

(Exterior/Interior Improvements and Impact/Permit Fees)

NAME OF APPLICANT: Kim's Food and Gas Inc.

PROPERTY ADDRESS: 600 W. Canal St. New Smyrna Beach, FL 32168

PHONE/CELL: <sup>home 407-977-7566</sup> cell 407-376-4380 (EMAIL) mwalik@outdoors.net

**TYPE OF IMPROVEMENT PLANNED:**

Exterior X Painting X Landscape \_\_\_\_\_ Electrical \_\_\_\_\_  
 Signage X Awning \_\_\_\_\_ Parking Area X Other \_\_\_\_\_  
 Interior \_\_\_\_\_ Permit Fees X Impact Fees \_\_\_\_\_ Significant Façade \_\_\_\_\_

**PROJECT PROPOSAL ON IMPROVEMENTS**

All Combined Grant Program Applications must be approved by the CRA **prior to work commencing**. (Exception: Professional Design Fees as allowed per Program Guidelines)  
 The following information must be included with the application.

	Exterior	Interior	Significant Façade	Impact Fee/Permits
Written Authorization from Property Owner (if not the applicant)	X	X	X	X
<b>Summary</b> of the scope of work to be performed	X	X	X	X
Two (2) cost estimates from licensed professionals (broken down by Scope of work)	X	X	X	
Written Permit(s)/Impact Fee Estimate from the appropriate Departments				X
<b>Conceptual plans and specifications</b> detailing the scope of work. (*Professional design assistance may be obtained prior to CRA approval at the applicant's own risk)	X	X	X	
<b>Samples</b> of all paint and material colors as well as awning materials to be used on the building and signage.	X	X	X	
<b>Square footage</b> for each eligible façade			X	
Proof of ad valorem taxes (NFPs only)	X	X	X	X

ESTIMATED TOTAL COST OF PROPOSED PROJECT: \$ 13,100

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ 6,550

ESTIMATED START DATE: 1/9/2012 or upon approval

ESTIMATED COMPLETION DATE: 5/31/12

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

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

I ACKNOWLEDGE THAT I HAVE RECEIVED AND UNDERSTAND THE DESIGN GUIDELINES (if applicable), THE COMBINED GRANT PROGRAM GUIDELINESS AND THE GRANT AGREEMENT.

Michael Appenzeller  
Applicant Signature

\_\_\_\_\_  
Property Owner Signature (if not applicant)

Michael Appenzeller  
Print Name

\_\_\_\_\_  
Print Name

11/13/11  
Date

\_\_\_\_\_  
Date

**CANAL STREET MAJESTIC MART**  
Kim's Food and Gas, Inc.  
600 W. Canal Street  
New Smyrna Beach, FL 32168

November 13, 2011

New Smyrna Beach CRA grant application.

SUMMARY OF WORK TO BE PERFORMED	ESTIMATE OF COST
1. Pole Sign: Re-letter Majestic sign and paint sign box. Repair Gas price sign to post other product prices.	\$1200.00
2. Painting: Prep and paint exterior of building.	\$1600.00
3. Paving: Pave front lot and on the right side of the building.	\$10,000.00
4. Building Permits:	\$50.00 - sign \$250.00 - paving

Note that we were unable to get additional estimates on the sign work due to local sign shops not having the bucket truck needed to work on large free-standing signs.

Permit prices obtained from Bob Mead at the NSB building permit dept. Prices quoted were \$38.50 for the sign, based on 50 sq. ft sign area, and \$247.50 for the paving, based on \$10,000 job price.

He declined to provide a written quote of these prices.

CANAL STREET MAJESTIC MART  
Kim's Food and Gas, Inc.  
600 W. Canal Street  
New Smyrna Beach, FL 32168

November 13, 2011

New Smyrna Beach CRA grant application.

#### CONCEPTUAL PLANS AND SPECIFICATIONS

1. Pole Sign: Re-letter Majestic sign using dark blue vinyl on white background. Crown symbol to be gold color. Paint sign box. (sign pole was painted earlier this year.) Repair old gas price sign so other product prices can be posted.

See B&C Signs estimate.

2. Painting: Paint exterior of building, White with dark Blue trim. See enclosed sample. White to replace existing Gray color, and the Blue to replace existing Red color. We would welcome suggestions on alternate color schemes from the CRA.  
Work to include scraping, sanding and caulking as necessary, Pressure washing of building, and priming surfaces as required prior to painting.

See J&J Painting estimate.

3. Paving: Re-pave front lot from concrete area on the left side of building, to the right edge of front parking area, and down the right side of the building. 140' x 60' and 40' x 30' areas totaling 9600 sq. ft. Job to include filling potholes and applying hot-mix Asphalt.

See E&H Paving estimate.



2225 Guava Drive  
Edgewater, FL 32141  
Phone: (386) 426-2373

PO Box 519  
Edgewater, FL 32132  
Fax: (386) 426-2789

### A Sign of Quality

Name	Majestic Market	Date	7/6/11
Address	West Canal Street	Contact Name	Mike Appenzeller
City	New Smyrna Beach	Job Location	same
State/Zip	FL 32169		
Phone	407-977-7566	Email	

We hereby submit specifications and estimates for:

Re-paint existing aluminum sign cabinet. Install new vinyl for both sides of Existing aluminum sign cabinet. \$ 697.00

Two 3' x 6' panels to fit into existing sign cabinet \$ 405.00

Permitting is not included in estimate.

We hereby propose to furnish labor and materials, in accordance with the above specifications, for the sum of:  
One thousand one hundred two dollars and 00/100 Dollars \$ 1,102.00

*(Sales tax and permitting are not included in estimate)*

Payment made as follows:

50% deposit

Balance due upon installation

*(Completion date of 2 to 3 weeks from deposit date unless otherwise stated in contract)*

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed upon written orders only and will become an extra charge over and above estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Any underground obstructions will be removed on a time plus material basis. Contract prices are good for 90 days. Any contract that remains open for 12 months or more may be subject to storage fees and interest or loss of deposit. Final payment is due at time of install. Non-payment within 30 days after install will result in Contractor's Lien. Final electrical connection will only be made to a dedicated sign circuit within five foot of sign per State Code. Art charges will apply after the second revision. By signing this document, customer agrees that all materials remain the property of B & C Signs, Inc. until final payment is received. In default of any payment by customer, B & C Signs, Inc may take possession of goods without legal process.

B & C Signs Authorized Signature \_\_\_\_\_

#### ACCEPTANCE

The above prices, specifications, and conditions are hereby accepted. B & C Signs is authorized to do the work as specified. Payment will be made as written above.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_



# J & J Painting

Painting

2813 Bay Side Dr., New Smyrna Beach, FL 32168 PH: 386-689-8259

July 11, 2011

Mike Appneeller  
600 W. Canal  
New Smyrna Beach, FL 32168

\$1,475.00

RE: Bid on Exterior 600 W. Canal

J and J Painting will paint the exterior of 600 W. Canal as described below for the sum of \$ 1475.00 (One Thousand Four Hundred and Seventy Five Dollars) including all paints and materials.

The work includes the following:

Prep all Exterior walls for painting including, removing cracked and peeling paint, sanding and caulking as necessary.

Pressure Wash entire building

Prime exterior surfaces

Paint exterior surfaces with Behr Premium paint (colors to be chosen by customer)

Terms of agreement would include 33% of contract amount (\$490.00) at time of signing of approval of bid. Balance due at completion of job.

Any changes to work to be completed would be by signed agreement of both parties.

Thank you for your interest in having J and J Painting handle this project for you. If you have any questions, please do not hesitate to call me.

Sincerely,

*Joseph E. Bailey*

Joseph E. Bailey

J and J Painting

2813 Bay Side Dr.

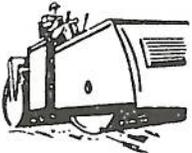
New Smyrna Beach, FL 32168

386-689-8259

Acceptance of Bid \_\_\_\_\_ Date: \_\_\_\_\_

386 202-0477

Cell



**E & H PAVING**  
P. O. Box 1062  
DeLeon Springs, FL 32130  
386/985-6501 • 386/258-3706  
386/985-5285 FAX



Rim 24

PROPOSAL SUBMITTED TO 600 W Canal St	PHONE	DATE 4-29-2011
STREET New Smyrna Bch Fl	JOB NAME	
CITY, STATE AND ZIP CODE	JOB LOCATION	
ARCHITECT	DATE OF PLANS	JOB PHONE

We hereby submit specifications and estimates for

# 140 X 60 = 8400

9600 sq ft

40 X 30 = 1200

\$8,400.00

1. Parking lot to be swept clean

2. Prepatch low areas pot holes

3. Prime tack coat

4. Supply & install 1 1/4 Hot mix asphalt

\$8,400.00

The above prices and specifications are here by accepted and you are authorized to do the work as specified.

Jobs will be paid in full upon completion.

All work is guaranteed for one full year except for vegetation or tree roots.

**MAKE ALL CHECKS PAYABLE TO EZZIE HARRISON**

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_ Signature \_\_\_\_\_



FREE ESTIMATES  
31 YEARS EXPERIENCE

Painting

**SCOTT JOHNSON**  
CUSTOM PAINTING & WATERPROOFING  
INTERIOR & EXTERIOR

**SCOTT JOHNSON**  
Painting & Waterproofing  
Interior & Exterior  
386-409-0014  
johnson51@cfl.rr.com

Page No. 1 of 1

386-409-0014  
sjohnson51@cfl.rr.com

REFERENCES  
LIC. & INS.

**PROPOSAL**

PROPOSAL SUBMITTED TO <b>Mike Appenzellure</b>		TODAY'S DATE <b>07/23/2011</b>	DATE OF PLANS <b>N/A</b>
PHONE NUMBER	FAX NUMBER <b>N/A</b>	JOB NAME <b>Painting</b>	
ADDRESS, CITY, STATE, ZIP <b>600 W. Canal Street, New Smyrna Beach, FL</b>		JOB LOCATION <b>600 W. Canal Street, New Smyrna Beach, FL</b>	

We propose hereby to furnish material and labor necessary for the completion of:

1. Scrape all loose and flaking paint from all exterior walls.
2. Wire brush any/all rough areas on all exterior walls of building.
3. Remove all damaged and falling out caulking.
4. Repair any/all damaged and cracked exterior walls.
5. Pressure wash all exterior walls to be painted before painting.
6. When preparation is completed, apply new paint to all exterior walls and planters.

\$ 3,379.00

Owner will choose paint colors.

One-half (\$1689.50) down at beginning of job to help cover the cost of materials. Remainder (\$1689.50) to be paid at the completion of the job.

**Total - \$3379**

We propose hereby to furnish material and labor - complete in accordance with above specifications for the sum of:  
**Three Thousand three hundred seventy nine dollars** \_\_\_\_\_ dollars ( ~~\$ 0000000000003379.00~~ )

Payment as follows: See above

All material is guaranteed to be as specified, and the above work to be performed and completed in a substantial workmanlike manner. Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Authorized Signature \_\_\_\_\_

Note: this proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_

# Proposal

**D & W PAVING, INC.**  
 P.O. Box 250725  
 HOLLY HILL, FL 32125-0725  
 (386) 258-5440 FAX (386) 258-8546

PROPOSAL SUBMITTED TO MIKE APPENZELLER	PHONE 407-977-7566 FAY	DATE 9-Mar-2011
STREET 500 W CANAL STREET	JOB NAME	
CITY, STATE and ZIP CODE NEW SMYRNA BEACH, FL 32138	JOB LOCATION NEW SMYRNA BEACH	
ARCHITECT	DATE OF PLANS	JOB PHONE
	ATTN: KIM/MIKE	

We **Propose** hereby to furnish material and labor - complete in accordance with specifications below, for the sum of:

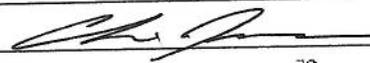
ELEVEN THOUSAND FOUR HUNDRED & NO/100 dollars (\$ 11,400.00).

WORK PERFORMED DURING THE MONTH WILL BE INVOICED ON THE 25TH OF THE MONTH. PAYMENT IS DUE

BY THE 10TH OF THE FOLLOWING MONTH. FINAL PAYMENT IS DUE UPON COMPLETION OF THE WORK.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications below involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation insurance.

Authorized  
Signature



Note: This proposal may be withdrawn by us if not accepted within 30 days.

We hereby submit specifications and estimates for:

FURNISHING LABOR, EQUIPMENT AND MATERIAL TO PERFORM THE FOLLOWING WORK:

ITEM NO.	DESCRIPTION OF ITEM	ITEM QUANTITY	UNITS	COST PER UNIT	EXTENDED BID PRICE
1	MOBILIZATION	1	L.S.	500.00	500.00
2	LEVEL OUT THE EXISTING ASPHALT PAVEMENT WITH NEW ASPHALT. THEN OVERLAY WITH 1" TYPE S-3R ASPHALT (705 S.Y.)	1	L.S.	10,900.00	10,900.00

NOTES:

- \*STRIPING IS NOT INCLUDED
- \*BE ADVISED THAT NEW ASPHALT PAVED OVER EXISTING CRACKS WILL SHOW REFLECTIVE CRACKING WITH IN A FEW MONTHS.

TOTAL OF ALL BID ITEMS: 11,400.00

\$ 11,400

IF WORK DOES NOT BEGIN WITHIN 30 DAYS OF A SIGNED CONTRACT OR IF, DURING THE PROJECT, WORK IS POSTPONED, CANCELLED OR STOPPED FOR ANY REASON, THE CONTRACTOR SHALL HAVE THE RIGHT TO CHANGE PRICES OR TO DECLARE THIS AGREEMENT NULL AND VOID.

PROPOSALS ARE BASED UPON BEING ABLE TO BEGIN WORK AND CONTINUE IN AN UNINTERRUPTED MANNER. ONE MOBILIZATION/DEMOLIBILIZATION IS INCLUDED. SHOULD THE PROJECT BE POSTPONED, CANCELLED OR STOPPED FOR ANY REASON, ANY ADDITIONAL DEMOBILIZATION/REMOBILIZATION WILL BE INVOICED PER OCCURRENCE.

IF THIS PROPOSAL IS ACCEPTED, PLEASE SIGN AND RETURN THE WHITE COPY TO D & W PAVING, INC. ALONG WITH A COPY OF THE NOTICE OF COMMENCEMENT. WORK CANNOT BEGIN ON THE PROJECT UNTIL BOTH DOCUMENTS HAVE BEEN RETURNED!

D & W PAVING, INC. WILL NOT ACCEPT ANY BACKCHARGES FOR DAMAGE CAUSED BY ITS EMPLOYEES UNLESS THE MANAGEMENT OF D & W PAVING, INC. IS NOTIFIED IMMEDIATELY OF THE DAMAGE AND ALLOWED THE OPPORTUNITY TO REPAIR THE DAMAGE BY ITS OWN MEANS AND AT ITS OWN EXPENSE.

TESTING WILL BE PERFORMED BY AN INDEPENDENT TESTING LABORATORY AT THE EXPENSE OF OTHERS.

PAYMENT IS TO BE MADE UPON COMPLETION OF THE WORK.

D & W PAVING, INC. WILL NOT BE RESPONSIBLE FOR DAMAGE TO UNMARKED UNDERGROUND LINES OR STRUCTURES AS A RESULT OF GRADING OR PAVING OPERATIONS.

D & W PAVING, INC. HAS NOT PERFORMED A SUBSURFACE INVESTIGATION OF THE SITE. ANY

**Acceptance of Proposal** - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_

Date of Acceptance: \_\_\_\_\_

Print Name & Title \_\_\_\_\_  
 (Must be Signed by Owner or Officer)

Mike  
485487

F.S. Lynch  
Toronto Signs  
# 386-469-9187

CUSTOMER'S ORDER NO.		DEPARTMENT			DATE	
					5/5/11	
NAME						
Mg & osky store						
ADDRESS						
600 canal st						
CITY, STATE, ZIP						
New Smyrna Beach						
SOLD BY		CASH	C.O.D.	CHARGE	ON ACCT.	MOSE RETD PAID OUT
QUANTITY	DESCRIPTION				PRICE	AMOUNT
1						
2						
3	Re paint & Repair re letter Pals sign					
4						
5						
6	Re lamp Repair					
7						
8	Sign painting					
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						1,300.00
RECEIVED BY						



**KEEP THIS SLIP FOR REFERENCE**  
DUPLICATE



Section of the parking lot to be improved



## CRA AGENDA ITEM SUMMARY

<b>Staff Member Making Request:</b> Claudia Soulie		
<b>Meeting Date:</b> December 7, 2011		
<b>Action Item Title:</b> Combined Grant Application: 208 Magnolia Street – Fender Mender		
<b>Agenda Section:</b> Consent _____ Public Hearing _____ Special Items <u>  x  </u>		
<b>Summary Explanation and Background</b>		
<p>This applicant is proposing to construct a new wall that will match his existing building with electrical roll-up bay doors and shutters to protect the east side of his "outdoor" bay from inclement weather. Additionally, the applicant feels that this wall would make the area more aesthetically pleasing in the evening, as closing it will block the view to the work areas.</p> <p>The cost estimate was submitted as follows.</p> <ul style="list-style-type: none"> <li>• Construction of new wall/painting.....\$ 39,950.00</li> <li>• Electrical Doors/shutters.....\$ 3,800.00</li> </ul> <p>The estimate for the scope of work totals <b>\$43,750</b> (CRA funding request capped at <b>\$20,000</b>). The selected estimate is slightly higher than the second estimate (by \$1,150). The difference is that the higher estimate uses concrete block versus metal studs. The Chief Building official recommended the use of block for durability and longevity. Choosing the lower estimate would not change the amount that the applicant is eligible for.</p> <p>The applicant was informed that staff will require receipts from the contractor for all work performed.</p> <p>Staff has met on-site with the applicant and pertinent City personnel and the scope of work was conceptually accepted.</p> <p>The application has received the necessary points to qualify for consideration and staff recommends approval. Approval is contingent upon the applicant obtaining the necessary permit(s).</p>		
<b>Recommended Action/Motion:</b>		
Approve the application in the funding amount of \$20,000.		
<b>Funding Analysis:</b> Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:		
Account number 120.51502.583001, which currently has a balance of \$350,415.		
<b>Exhibits Attached:</b>		
<ol style="list-style-type: none"> <li>1. Package submitted by the applicant</li> <li>2. Score sheet</li> </ol>		
<b>Reviewed By:</b>	<b>Name</b>	<b>Signature</b>
CRA Director	Tony Otte	
<b>Commission Action</b>		

## Property Improvement Grants Funding Evaluation

Property Address: 208 Magnolia Street - Fender's Mender

Did Applicant attend pre-application conference: YES  NO

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

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

Circle a Score  
for each category

**Compliance with Guidelines:**

Project substantially meets guidelines ..... 5 Points  
 No character defining features are inappropriately altered: ..... **3** Points

**Location:**

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

**Overall Impact / Improvements:**

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

**Quality of Work Proposed:**

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

**Present Use:**

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

**Bonus Points:**

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

**Total** 15

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

**APPLICATION FORM**

**COMBINED GRANT PROGRAM**

(Exterior/Interior Improvements and Impact/Permit Fees)

NAME OF APPLICANT: Alan Goldstein / Magnolia Street Ventures LLC

PROPERTY ADDRESS: 208 Magnolia st. NSB, FL 32168

PHONE/CELL: 386-428-8900 (EMAIL) fender\_mender@bellsouth.net

**TYPE OF IMPROVEMENT PLANNED:**

Exterior  Painting  Landscape \_\_\_\_\_ Electrical \_\_\_\_\_

Signage \_\_\_\_\_ Awning \_\_\_\_\_ Parking Area \_\_\_\_\_ Other \_\_\_\_\_

Interior \_\_\_\_\_ Permit Fees \_\_\_\_\_ Impact Fees \_\_\_\_\_ Significant Façade

**PROJECT PROPOSAL ON IMPROVEMENTS**

All Combined Grant Program Applications must be approved by the CRA **prior to work commencing**. (Exception: Professional Design Fees as allowed per Program Guidelines)  
The following information must be included with the application.

	Exterior	Interior	Significant Façade	Impact Fee/Permits
Written Authorization from Property Owner (if not the applicant)	X	X	X	X
<b>Summary</b> of the scope of work to be performed	X	X	X	X
Two (2) cost estimates from licensed professionals (broken down by Scope of work)	X	X	X	
Written Permit(s)/Impact Fee Estimate from the appropriate Departments				X
<b>Conceptual plans and specifications</b> detailing the scope of work. (*Professional design assistance may be obtained prior to CRA approval at the applicant's own risk)	X	X	X	
<b>Samples</b> of all paint and material colors as well as awning materials to be used on the building and signage.	X	X	X	
<b>Square footage</b> for each eligible façade			X	
Proof of ad valorem taxes (NFPs only)	X	X	X	X

ESTIMATED TOTAL COST OF PROPOSED PROJECT: \$ 40,000.<sup>00</sup>

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ 20,000.<sup>00</sup>

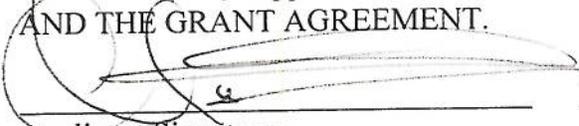
ESTIMATED START DATE: Jan 1, 2012

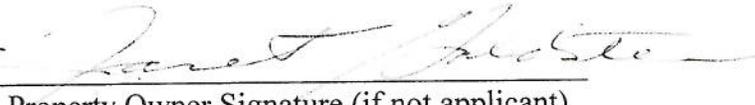
ESTIMATED COMPLETION DATE: March 1, 2012

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

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

I ACKNOWLEDGE THAT I HAVE RECEIVED AND UNDERSTAND THE DESIGN GUIDELINES (if applicable), THE COMBINED GRANT PROGRAM GUIDELINESS AND THE GRANT AGREEMENT.

  
Applicant Signature

  
Property Owner Signature (if not applicant)

Alan Goldstein  
Print Name

Janet Goldstein  
Print Name

11-30-11  
Date

11-30-11  
Date

# Coastal Development and Utilities, Inc.

CGC1512540  
3637 State Road 44  
CUC1224344

New Smyrna Beach, Fl. 32168  
Telephone 386-212-5509

Proposal 11-9-11

Alan Goldstein

Fender Mender

208 S. Magnolia St.

New Smyrna Beach, Fl. 32168

We propose to furnish all materials, labor, and insurance necessary to complete the work stated below.

Our scope of work to be performed:

1. Cut existing slab for new footing, remove debris and construct footing to except new wall (install #5 rebar in footing and pour #2500 psi concrete mix).
2. Furnish and install new concrete block wall approximately 25 foot long by 17 foot high across open bay.
3. Furnish and install all rebar as required with poured lentils and filled cells as required from footing to top of wall.
4. Furnish and install (2) 2 foot by 2 foot columns at each end to match existing columns.
5. Provide, (1) opening for a 3'0x6'8 metal access door and (1) opening for a 14 foot wide by 12 foot high roll up door.
6. Furnish and install (1) 3'0x6'8 metal door and jamb with hardware (1) 14 foot wide by 12 foot high roll up door.
7. Furnish and install new 2 coat stucco on wall and columns to match existing building.
8. Furnish and install new metal rafter and pan to tie existing metal roof to new wall and seal complete.
9. This bid proposal does include allowances for Engineering/Architectural (\$5,000.00), Surveying (\$1,000.00), and Permitting (\$500.00).
10. Furnish and Install Electrical wiring for new roll up door and (3) roll up shutters covering the 2 windows and one door facing the road, and one light fixture for face of new wall. (Shutters (3) roll-ups \$3800.00).



# PROPOSAL

State Lic.

#CGC1508443

#CCC1326298

## KP Contractors, LLC.

1404 Yorktown Street, Suite A

Deland, FL 32724

Phone: (386) 740-0475

PROPOSAL SUBMITTED TO: Fender Mender		PHONE: 386-740-0475	FAX: 386-740-0471	DATE: 11/7/11
STREET: 1404 Yorktown Dr.		JOB NAME:		
CITY, STATE AND ZIP: Deland, FL		JOB LOCATION: New Smyrna Beach, Palmetto Ave		
ARCHITECT: N/A	DATE OF PLANS: N/A			JOB PHONE:

We hereby submit the following clarifications and estimate for:

Supply and install engineered structural wall and parapet along the east side of the existing metal panel roof, to a ht of 17', length of 27' (+or-), construction to include 6 " 16 ga metal studs, 16"OC, gypsum sheathing, peel and stick membrane, lath, stucco with random trowel finish, paint.

Supply and install one 3'x7' hollow metal door and frame with hardware.

Supply and install one 14'x14' roll up door (wind rated)

All equipment and clean up are included.

Proper flashing to existing structure

### Exclusions:

Slab ( by others)

Above noted work to be supplied and installed in accordance with local building codes for a price of \$38,000.00

Add Alternate: Add Hurricane Shutters over 2 front windows and 1 Door. Add: \$4,600.000

**Total with ADD: \$42,600.00**

Labor and materials were installed in accordance with the proposed specifications, for the sum of:

(\$ \_\_\_\_\_)

PAYMENT TO BE MADE AS FOLLOWS: **UPON RECEIPT OF INVOICE.**

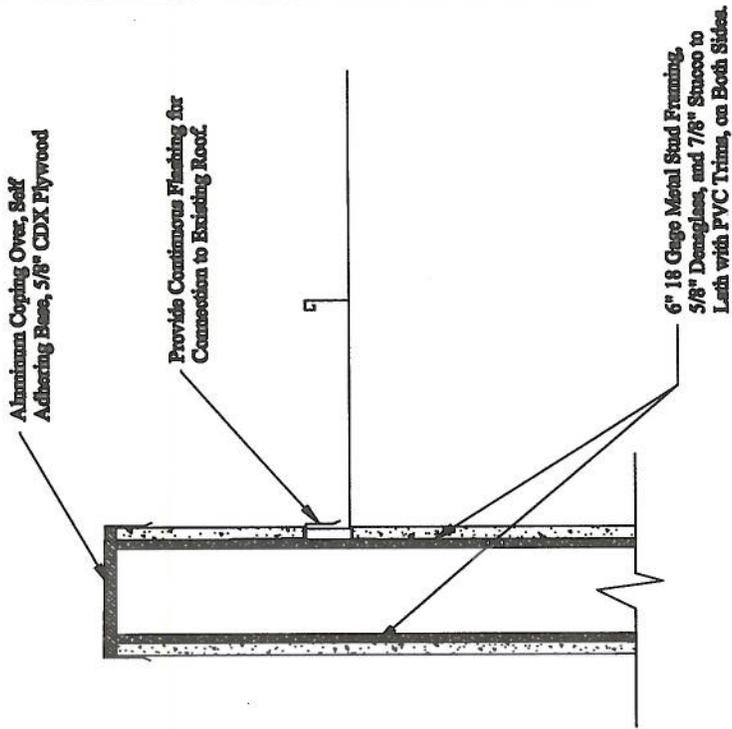
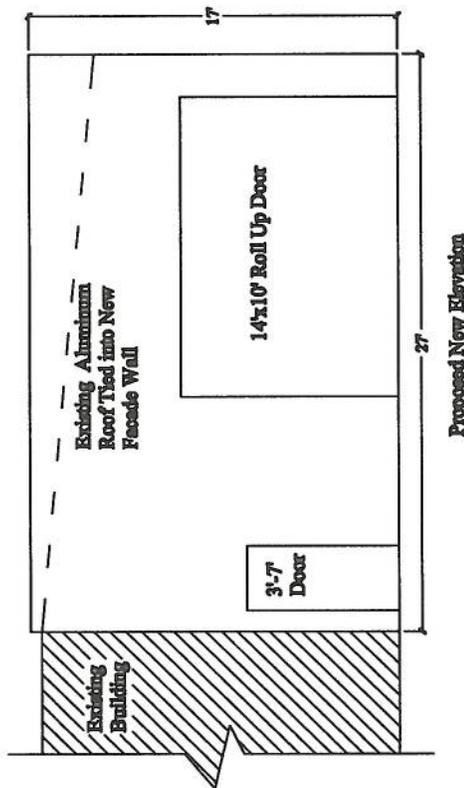
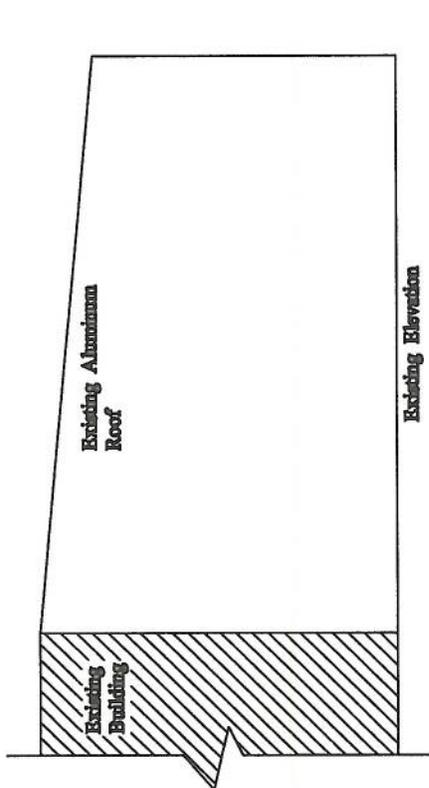
All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard industry practices. Any alteration or deviation from the above clarifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. This warranty is limited to the original owner (Homeowner/Consumer) and cannot be assigned or transferred under any condition.

Florida Law contains important requirements you must follow before you may file a lawsuit for defective construction against a contractor, subcontractor, supplier or design professional for an alleged construction default or defect in your home. 60 days before you file your lawsuit, you must deliver to the contractor, subcontractor, supplier or design professional a written notice of any construction conditions you allege are defective and provide your contractor or any subcontractor, suppliers or design professionals the opportunity to inspect the alleged construction defects and make an offer to repair or pay for the alleged construction defects. You are not obligated to accept any offer made by the contractor or any subcontractor, supplier or design professionals. There are strict deadlines and procedures under Florida Law.

Authorized  
Signature

Estimator

KP Contractors, LLC. has the right to cancel this contract, prior to the starting of any job, for any reason, at any time, even after the purchaser signs the contract. We are not responsible for any cracked or broken driveways. Should it become necessary for purposes of enforcing this contract, for contractor to incur any expenses, and become obligated to pay any attorneys fees and court costs, purchaser agrees to reimburse contractor for such expenses attorney's fees and court costs.



Fender Mender  
 9/28/11 Scale: 1/4" = 1'-0"  
 Architectural Drywall Systems, Inc.  
 Drawn By: K P DWG:1





## CRA AGENDA ITEM SUMMARY

**Staff Member Making Request:** Claudia Soulie

**Meeting Date:** December 7, 2011

**Action Item Title:** Combined Grant Application(s): 306/308 N. Orange Ave

**Agenda Section:** Consent \_\_\_\_\_ Public Hearing \_\_\_\_\_ Special Items   x  

### Summary Explanation and Background

Staff was approached by Ms. Marla Nance with a proposal to convert a building at 308 N. Orange from the previous use as a print shop to professional office space to house her three (3) separate, long-standing enterprises. The project will stretch over two (2) conjoined parcels (306 and 308 N. Orange) which have separate parcel ID numbers. Both have recently been acquired by Ms. Nance. The application was placed on the November 2, 2011 CRA agenda, but Ms. Nance decided to withdraw her application during the Public Participation portion of that meeting, so no action was taken by the CRA Commissioners.

Ms. Nance has now submitted three (3) separate applications under the **Combined Grant** program on behalf of the businesses that are to be housed in the new location. Ms. Nance feels that, based on the current Combined Grant Guidelines, tenants as well as the property owner are allowed to apply for exterior/interior assistance (see excerpt below):

*Eligible Applicants: Applicant eligibility depends on the proposed use of funds, as follows:*

- *Exterior Improvements: Property owner or tenants with property owner consent.*
- *Interior Improvements: Property owner or tenants with property owner consent.*

The scope for this project includes only exterior work like landscaping, creation of parking areas, Signage, electrical work, design assistance, installing/painting of hardie board siding, trim, bead board soffits, replacing of exterior windows and exteriors doors, as well as a storefront door. The cost of these scopes totals \$128,654.70 and the applicant is requesting CRA reimbursement in the amount of \$60,000 (\$20,000 per tenant business and owner/tenant) under the Combined Grant program. The total cost includes \$25,200 for a new roof, which is not specifically allowed nor prohibited in the CRA Grant Guidelines. Staff does not feel that a new roof should be an eligible expense, thus reducing the cost for eligible items to \$103,454.70.

Upon review of the Grant guidelines and consulting with the CRA Attorney, staff is recommending that the CRA approve only one of the Combined Grant applications with CRA funding in the amount of \$20,000. It has been determined that, with tenant businesses being owned by the property owner, they cannot be considered "bonafide" applicants for the program. Therefore, only one (1) grant is recommended.

The applicant will be present to explain her reasoning as to why she would like to have the CRA consider her applications as submitted (Three Combined Grants with a CRA funding amount of \$20,000 each)

The Planning, Engineering and Building Departments have reviewed and conceptually approved the proposal. It is anticipated that, based on City practices, the Planning Department will recommend the applicant do a Unity of Title Agreement to join the two parcels together, or just combine them under one tax ID # (simpler than the Unity of Title).

The project has received the necessary points to qualify for consideration and staff recommends approval of one (1) Combined Grant in the CRA funding amount of \$20,000. Approval is contingent upon the applicant obtaining the necessary permit(s) and meeting all Planning and Building Department requirements.

### Recommended Action/Motion:

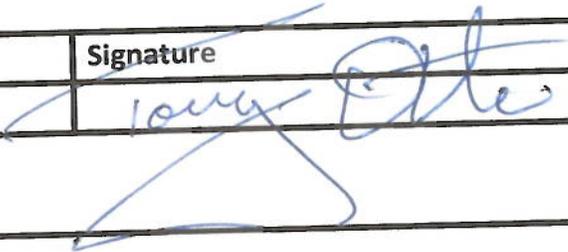
Approve one (1) of the applications in the CRA funding amount of \$20,000.

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

Account number 120.51502.583001, which currently has a balance of \$350,415.00

**Exhibits Attached:**

1. Three Separate Applications (Marla T. Nance, CPA, PA; MTN Resources and Sea-Action Properties and Management, Inc.)
2. Package submitted by the applicant (same backup used for all three applications)
3. Score sheet
3. Combined Grant guidelines

Reviewed By:	Name	Signature
CRA Director	Tony Otte	
<b>Commission Action</b>		

## Property Improvement Grants Funding Evaluation

Property Address: 306/308 N. Orange

Did Applicant attend pre-application conference: YES  NO

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

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

Circle a Score  
for each category

**Compliance with Guidelines:**

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

**Location:**

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

**Overall Impact / Improvements:**

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

**Quality of Work Proposed:**

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

**Present Use:**

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

**Bonus Points:**

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

Total 17

308 N Orange Avenue, New Smyrna Beach, FL  
 Community Redevelopment Agency (CRA)  
 Summary of Proposed Costs - Combined Grant

*Revised by staff*

Eligible Services	Landscaping				Landscaping				Building				Best Quote/ Totals
	Landscaping		Concrete Work		Signage		Landscape Architect	Building		Building Architect			
	Coastal Landscapes	Felber Landscaping & Irrigation	Lindley's	D2	F&M	Fast Signs	B&C Signs	Dik Lathrop	Platinum Building & Remodeling	Rick A. Eckert, LLC	Misano	Gerard Pendergrast	
Landscaping Site Work, Irrigation, plant materials, handicap parking, widening of driveway, curb and sidewalk repair, parking stops, lighting, electrical	\$ 22,807.00	\$ 25,239.50	\$ 26,140.87										\$ 22,807.00
Concrete Work Widen driveway, permits, Meter Cover, demo existing curb and sidewalk and replace			\$ 3,006.00		\$ 2,750.00								\$ 2,750.00
Signage Sandblasted cedar side panels sign with aluminum frame, installation and permits						\$ 4,092.75	\$ 2,742.00						\$ 2,742.00
Landscapes Architect Landscape Architect Services - Dik Lathrop - Total Contract \$6,700.00 (limited to 10% of landscape construction costs - landscape and signage)								\$ 6,700.00					\$ 2,555.70
Windows, Doors, Siding, Roof Handle board 2" siding, trim, bead board soffits, installation, painting; replace exterior windows with Anderson double pane Low E impact resistance windows; replace 2 exterior doors and storefront door; standing seam metal roof									\$ 109,700.00	\$ 91,150.00			\$ 91,150.00
Building Architect Building Architect Services - Gerard Pendergrast - Total Contract \$6,650.00 (limited to 10% of building construction costs - windows and siding)											\$ 6,650.00		\$ 6,650.00
<b>TOTAL</b>													\$ 128,654.70
													\$ 64,327.35
													\$ 20,000.00

*128,200*  
*25,200 roof*

*65,950*

*103,434.70*

*51,727.35*

*\$ 20,000*

**TOTAL**

50/50 Match  
 Requested Funding Assistance

Application No 1



**Marla T. Nance**  
CPA PA

November 16, 2011

Mr. Tony Otte, Executive Director  
City of New Smyrna Beach Community Redevelopment Agency  
210 Sams Avenue  
New Smyrna Beach, FL 32168

RE: COMBINED GRANT PROGRAM – 306 and 308 N Orange Ave, New Smyrna Beach, FL 32168

Dear Mr. Otte,

As a tenant, Marla T. Nance, CPA, PA, respectfully requests your consideration of our application for the City of New Smyrna Beach Community Redevelopment Agency Combined Grant Program for purposes of landscaping and exterior repairs and upgrades to be made to our office location at 308 North Orange Ave, New Smyrna Beach, FL 32168.

Marla T. Nance, CPA has been in business since 2001 and performs a variety of services including accounting, tax preparation, auditing and business consulting.

This historical building is truly a landmark in downtown New Smyrna Beach, and we want to keep it that way. It is documented in the community's historical records as a former church. The building is a bungalow style. While originating as a church, the use subsequently changed to commercial office space and in more recent years was used as a print shop.

In the attached packet, we have defined our scope of services to be improvement and upgrade of the parking lot, replacement and installation of siding, windows and doors. Our intent with these improvements is to focus on extending the useful life of the building, establishing a viable business location and revitalizing the historical integrity of the building. We feel the proposed materials, design services, and costs provide the best efficiencies for all of these areas while bringing out the historical beauty of the property.

We are very proud to be afforded the opportunity to operate and conduct our business from the New Smyrna Beach community. We have enjoyed our past three year establishment on Canal Street and look forward to many prosperous years on Orange Avenue.

We thank you in advance for your consideration of this application, as these improvements would help maintain the historical integrity of this property. It's presence in the historical district of New Smyrna Beach represents our community's history and we are proud to be a part of that history.

Thank you,

A handwritten signature in cursive script that reads "Marla T. Nance".

Marla Nance  
Marla T. Nance, CPA, PA

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

**APPLICATION FORM**

**COMBINED GRANT PROGRAM**

(Exterior/Interior Improvements and Impact/Permit Fees)

NAME OF APPLICANT: Marla T. Nance, CPA, PA  
 PROPERTY ADDRESS: 306 N Orange Ave., New Smyrna Beach, FL 32168  
Parcel ID No. 41-17-34-29-01-0010  
386-402-8586 office  
 PHONE/CELL: 407-616-6890 cell (EMAIL) marlanance@earthlink.net

**TYPE OF IMPROVEMENT PLANNED:**

Exterior X Painting X Landscape X Electrical X  
 Signage X Awning \_\_\_\_\_ Parking Area X Other \_\_\_\_\_  
 Interior \_\_\_\_\_ Permit Fees \_\_\_\_\_ Impact Fees \_\_\_\_\_ Significant Façade \_\_\_\_\_

**PROJECT PROPOSAL ON IMPROVEMENTS**

All Combined Grant Program Applications must be approved by the CRA **prior to work commencing**. (Exception: Professional Design Fees as allowed per Program Guidelines)  
 The following information must be included with the application.

	Exterior	Interior	Significant Façade	Impact Fee/Permits
Written Authorization from Property Owner (if not the applicant)	X	X	X	X
<b>Summary</b> of the scope of work to be performed	X	X	X	X
Two (2) cost estimates from licensed professionals (broken down by Scope of work)	X	X	X	
Written Permit(s)/Impact Fee Estimate from the appropriate Departments				X
<b>Conceptual plans and specifications</b> detailing the scope of work. (*Professional design assistance may be obtained prior to CRA approval at the applicant's own risk)	X	X	X	
<b>Samples</b> of all paint and material colors as well as awning materials to be used on the building and signage.	X	X	X	
<b>Square footage</b> for each eligible façade			X	
Proof of ad valorem taxes (NFPs only)	X	X	X	X

ESTIMATED TOTAL COST OF PROPOSED PROJECT: \$ 128,654.70

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ 20,000.00

ESTIMATED START DATE: December 15, 2011

ESTIMATED COMPLETION DATE: February 24, 2012

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

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

I ACKNOWLEDGE THAT I HAVE RECEIVED AND UNDERSTAND THE DESIGN GUIDELINES (if applicable), THE COMBINED GRANT PROGRAM GUIDELINESS AND THE GRANT AGREEMENT.

*Marla T. Nance*

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Property Owner Signature (if not applicant)

Marla T. Nance

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

10/12/11

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## Scope of Services

### **A. PROPOSED PROJECT**

Marla T Nance, CPA, PA is a tenant of the subject parcels 306 and 308 N Orange Avenue, New Smyrna Beach, FL 32168 on 9/28/11, which is located within the New Smyrna Beach Community Redevelopment Agency (CRA) District. Combined, the location consists of a 2016 square foot office building and an adjoining parking lot (approx. 2500 sq ft) on the south side of the property. While the original building was a church, it was subsequently used as a retail/print shop and the tenants intended use is for professional office space.

The renovation project consists of exterior, interior, and landscaping upgrades. It is important to us to achieve a quality image and functional office, while preserving the building's unique character and historical integrity. To ensure that our renovation project meets our needs as well as the expectations of the community, we have enlisted the services of a Building Architect and Landscape Design Architect to assist with this effort. Our goal is for the end product to create pride and confidence in the CRA District by improving the visual quality of this location.

### **B. COMBINED GRANT PROGRAM –**

#### **1. APPLICANT ELIGIBILITY**

The applicant is both the owner and a tenant. The proposed improvements qualify based on the location of the subject property with the CRA district and per the eligible exterior expenditures listing for: Landscaping, Parking Areas, Signage, Electrical, Screenings, Design Assistance, exterior improvements, windows, doors, and roof.

#### **2. FUNDING ELIGIBILITY**

The grant funding availability is up to \$20,000 total per grant. The program requires a 50/50 match. See Summary of Cost Estimates in Section F.

#### **3. LANDSCAPE DESIGN SERVICES**

Christina Lathrop, with Dix.Lathrop and Associates, Inc., is providing landscape architect services for this project. Ms. Lathrop is an established Landscape Architect in the Orlando area. She has been licensed in the State of Florida (License #LA0001340) since 1989.

#### **4. LANDSCAPE DESIGN**

In accordance with the grant guidelines, the following site improvements have been included in the application proposal in accordance with the architect plan set.

Parking Space – Improve existing parking area and create additional parking spaces, in accordance with Landscape Architect Plans, which provide a safe and pleasant working environment for customers and employees. Includes the establishment of 6 parking spaces plus 1 designated handicap parking space (brick pavers).

**Landscaping** – Removal of plant materials, removal and addition of plant materials, irrigation system, vinyl fencing on west side of property (back property line), widening of existing driveway, repair of curb and sidewalk.

**Lighting** – Installation of two parking area lights and 6 exterior lights for security purposes and illumination of signage.

**Signage** – Design, production and installation of new signage to be located on the south side of the parking lot access from Orange Avenue.

## 5. DESIGN SERVICES

**Gerard J. Pendergast Architect, PLC** is performing building architect services for this project. Mr. Pendergast is an established Architect in the New Smyrna Beach area. He is licensed in the State of Florida (License #AR0013447) since 1990.

## 6. BUILDING DESIGN – EXTERIOR

In accordance with the grant guidelines, the following site improvements have been included in the application proposal.

**Siding/Soffits** – Installation of Hardie plank siding on the perimeter of the building and Hardie trim for corners and windows; paint, caulk and seal all new Hardie siding, trim and soffit; replace railing; installation of Hardie 2' on center beaded Cedarmill soffit.

**Paint** – Paint, caulk and seal all new Hardie siding, trim and soffit. Chosen colors: Benjamin Moore Hawthorne Yellow (HC-4) with trim in Benjamin Moore Navajo White.

**Windows** – Replace 22 windows per Architect window schedule with Anderson 400 Series windows.

**Doors** - Replace 3 exterior doors in accordance with Architect plans specifications, including 1 double entrance doorway in wood for front entrance and two solid metal doors for north and south entrances.

**Roof** - Replace existing roof with standing seam metal roof.

## C. PROPOSED PROJECT SCHEDULE

The following project schedule is being proposed.

11/16/11	Submit application to CRA
12/7/11	CRA Board Meets/Application Approval
12/10/11	Finalize Contractor Bids/Enter into Contracts
12/15/11	Construction Begins
2/28/12	Substantial Completion

3/30/12	Project Completion
---------	--------------------

**D. ON-SITE MEETING**

As required by the grant guidelines, an on-site meeting was held at the subject property location on July, 18, 2011, with the following persons in attendance:

1. Tony Otte
2. Claudia Coulie
3. Marla Nance
4. Darrell Nance
5. Kate Rosenberg
6. Mike Knotek

**E. PERMIT(S)/IMPACT FEE ESTIMATE**

Please see Section G, for correspondence from Gail Henrikson, AICP, dated 10/11/11, indicating that no transportation, police and/or fire impacts are applicable to this project.

**F. LOCAL BUSINESS LICENSE**

Marla T. Nance, CPA, PA, began business in the year 2001 in Chipley, FL and has since moved its headquarters to New Smyrna Beach, FL. We have been located on Canal Street for the past three years.

**G. PROFESSIONAL LICENSE**

Marla T. Nance, CPA, PA, is a licensed Certified Public Accounting (CPA) Firm in the State of Florida, registered with the Board of Accountancy.

ACCOUNT NO. 5593

ANNUAL FEE: \$ 84.00

CITY OF NEW SMYRNA BEACH  
BUSINESS TAX RECEIPT

EXPIRATION DATE  
September 30, 2012



ISSUED BY THE OFFICE OF  
THE CITY CLERK

No: OL2011-0646

744 187010040

CODE CLASSIFICATION \$84.00  
209A PROFESSIONAL

NAME MARLA T NANCE CPA PA  
CONTACT MARLA THURMAN NANCE

BUSINESS ADDRESS 203 CANAL ST  
Unit: NEW SMYRNA BEACH FL 32168

NAME MARLA T NANCE CPA PA  
MAILING ADDRESS 203 CANAL ST  
Unit: NEW SMYRNA BEACH FL 32168

2011/2012

### Volusia County Business Tax Receipt

Issued pursuant to F.S. 205 and Volusia County Code of Ordinances Chapter 114-1 by:  
Volusia County Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 – 386-736-5938



Receipt # 200903260022 Expires: September 30, 2012  
Business Location: 203 CANAL ST  
Business Name: MARLA T NANCE CPA PA  
Owner Name: MARLA NANCE  
Mailing Address: 203 CANAL ST  
NEW SMYRNA BEACH, FL 32168

BUSINESS TYPE	CODE	COUNT	TAX
Professional	461	0	\$30.00

- This receipt indicates payment of a tax, which is levied for the privilege of doing the type(s) of business listed above within Volusia County. This receipt is non-regulatory in nature and is not meant to be a certification of the holder's ability to perform the service for which he is registered. This receipt also does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.
- The business must meet all County and/or Municipality planning and zoning requirements or this Business Tax Receipt may be revoked and all taxes paid would be forfeited.
- The information contained on this Business Tax Receipt must be kept up to date. Contact the Volusia County Revenue Division for instructions on making changes to your account.

**THIS PORTION OF THE BUSINESS TAX RECEIPT MUST BE POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS**

### Volusia County Business Tax Receipt

Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 – 386-736-5938

DATE PAID: 07/15/2011

PAYMENT Lockbox-10-00099556  
RECEIPT #:

Business Name: MARLA T NANCE CPA PA  
Owner Name: MARLA NANCE  
Mailing Address: 203 CANAL ST  
NEW SMYRNA BEACH, FL 32168

TOTAL TAX: 30.00

PENALTY: 0.00

TOTAL PAID: 30.00

Receipt # 200903260022 Expires: September 30, 2012  
Business Location: 203 CANAL ST

PLEASE DETACH THIS PORTION OF THE BUSINESS TAX RECEIPT FOR YOUR RECORDS

AC# 4674004

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
BOARD OF ACCOUNTANCY

SEQ# L09101600843

DATE	BATCH NUMBER	LICENSE NBR
10/16/2009	090190270	AD0020104

The ONE OWNER FIRM  
 named below IS LICENSED  
 under the provisions of Chapter 473 FS.  
 expiration date: DEC 31, 2011

MARLA T NANCE CPA PA  
 204 SWEETWATER COVE BLVD N  
 LONGWOOD FL 32779

CHARLIE CRIST  
 GOVERNOR

CHARLES W. DRAGO  
 SECRETARY

DISPLAY AS REQUIRED BY LAW

Application NO 2



November 16, 2011

Mr. Tony Otte, Executive Director  
City of New Smyrna Beach Community Redevelopment Agency  
210 Sams Avenue  
New Smyrna Beach, FL 32168

RE: COMBINED GRANT PROGRAM – 306 and 308 N Orange Ave, New Smyrna Beach, FL 32168

Dear Mr. Otte,

As both the owner and tenant, MTN Resources, respectfully requests your consideration of our application for the City of New Smyrna Beach Community Redevelopment Agency Combined Grant Program for purposes of landscaping and exterior repairs and upgrades to be made to our office location at 308 North Orange Ave, New Smyrna Beach, FL 32168.

MTN Resources, LLC, performs construction contract compliance monitoring services on Federally-funded highway construction projects.

This historical building is truly a landmark in downtown New Smyrna Beach, and we want to keep it that way. It is documented in the community's historical records as a former church. The building is a bungalow style. While originating as a church, the use subsequently changed to commercial office space and in more recent years was used as a print shop.

In the attached packet, we have defined our scope of services to be improvement and upgrade of the parking lot, replacement and installation of siding, windows and doors. Our intent with these improvements is to focus on extending the useful life of the building, establishing a viable business location and revitalizing the historical integrity of the building. We feel the proposed materials, design services, and costs provide the best efficiencies for all of these areas while bringing out the historical beauty of the property.

We are very proud to be afforded the opportunity to operate and conduct our business from the New Smyrna Beach community. We have enjoyed our past three year establishment on Canal Street and look forward to many prosperous years on Orange Avenue.

We thank you in advance for your consideration of this application, as these improvements would help maintain the historical integrity of this property. It's presence in the historical district of New Smyrna Beach represents our community's history and we are proud to be a part of that history.

Thank you,

A handwritten signature in cursive script that reads "Marla J. Nance".

Marla Nance  
MTN Resources, LLC

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

**APPLICATION FORM**

**COMBINED GRANT PROGRAM**

(Exterior/Interior Improvements and Impact/Permit Fees)

NAME OF APPLICANT: MTN Resources, LLC  
306 N Orange Ave., New Smyrna Beach, FL 32168  
 PROPERTY ADDRESS: Parcel ID No. 41-17-34-29-01-0010  
386-402-8586 office  
 PHONE/CELL: 407-616-6890 cell (EMAIL) mnance@mtnresources.com

**TYPE OF IMPROVEMENT PLANNED:**

Exterior  Painting  Landscape  Electrical   
 Signage  Awning \_\_\_\_\_ Parking Area  Other \_\_\_\_\_  
 Interior \_\_\_\_\_ Permit Fees \_\_\_\_\_ Impact Fees \_\_\_\_\_ Significant Façade \_\_\_\_\_

**PROJECT PROPOSAL ON IMPROVEMENTS**

All Combined Grant Program Applications must be approved by the CRA **prior to work commencing**. (Exception: Professional Design Fees as allowed per Program Guidelines)  
 The following information must be included with the application.

	Exterior	Interior	Significant Façade	Impact Fee/Permits
Written Authorization from Property Owner (if not the applicant)	X	X	X	X
<b>Summary</b> of the scope of work to be performed	X	X	X	X
Two (2) cost estimates from licensed professionals (broken down by Scope of work)	X	X	X	
Written Permit(s)/Impact Fee Estimate from the appropriate Departments				X
<b>Conceptual plans and specifications</b> detailing the scope of work. (*Professional design assistance may be obtained prior to CRA approval at the applicant's own risk)	X	X	X	
<b>Samples</b> of all paint and material colors as well as awning materials to be used on the building and signage.	X	X	X	
<b>Square footage</b> for each eligible façade			X	
Proof of ad valorem taxes (NFPs only)	X	X	X	X

ESTIMATED TOTAL COST OF PROPOSED PROJECT: \$ 128,654.70

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ 20,000.00

ESTIMATED START DATE: December 15, 2011

ESTIMATED COMPLETION DATE: February 24, 2012

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

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

I ACKNOWLEDGE THAT I HAVE RECEIVED AND UNDERSTAND THE DESIGN GUIDELINES (if applicable), THE COMBINED GRANT PROGRAM GUIDELINESS AND THE GRANT AGREEMENT.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

*Marla T. Nance*

\_\_\_\_\_  
Property Owner Signature (if not applicant)

Marla T. Nance

\_\_\_\_\_  
Print Name

10/12/11

\_\_\_\_\_  
Date

## Scope of Services

### **A. PROPOSED PROJECT**

MTN Resources, LLC purchased the subject parcels 306 and 308 N Orange Avenue, New Smyrna Beach, FL 32168 on 9/28/11, which are both located within the New Smyrna Beach Community Redevelopment Agency (CRA) District. Combined, the location consists of a 2016 square foot office building and an adjoining parking lot (approx. 2500 sq ft) on the south side of the property. While the original building was a church, it was subsequently used as a retail/print shop and the tenants intended use is for professional office space.

The renovation project consists of exterior, interior, and landscaping upgrades. It is important to us to achieve a quality image and functional office, while preserving the building's unique character and historical integrity. To ensure that our renovation project meets our needs as well as the expectations of the community, we have enlisted the services of a Building Architect and Landscape Design Architect to assist with this effort. Our goal is for the end product to create pride and confidence in the CRA District by improving the visual quality of this location.

### **B. COMBINED GRANT PROGRAM –**

#### **1. APPLICANT ELIGIBILITY**

The applicant is both the owner and a tenant. The proposed improvements qualify based on the location of the subject property with the CRA district and per the eligible exterior expenditures listing for: Landscaping, Parking Areas, Signage, Electrical, Screenings, Design Assistance, exterior improvements, windows, doors, and roof.

#### **2. FUNDING ELIGIBILITY**

The grant funding availability is up to \$20,000 total per grant. The program requires a 50/50 match. See Summary of Cost Estimates in Section F.

#### **3. LANDSCAPE DESIGN SERVICES**

Christina Lathrop, with Dix.Lathrop and Associates, Inc., is providing landscape architect services for this project. Ms. Lathrop is an established Landscape Architect in the Orlando area. She has been licensed in the State of Florida (License #LA0001340) since 1989.

#### **4. LANDSCAPE DESIGN**

In accordance with the grant guidelines, the following site improvements have been included in the application proposal in accordance with the architect plan set.

Parking Space – Improve existing parking area and create additional parking spaces, in accordance with Landscape Architect Plans, which provide a safe and pleasant working environment for customers and employees. Includes the establishment of 6 parking spaces plus 1 designated handicap parking space (brick pavers).

**Landscaping** – Removal of plant materials, removal and addition of plant materials, irrigation system, vinyl fencing on west side of property (back property line), widening of existing driveway, repair of curb and sidewalk.

**Lighting** – Installation of two parking area lights and 6 exterior lights for security purposes and illumination of signage.

**Signage** – Design, production and installation of new signage to be located on the south side of the parking lot access from Orange Avenue.

## 5. DESIGN SERVICES

**Gerard J. Pendergast Architect, PLC** is performing building architect services for this project. Mr. Pendergast is an established Architect in the New Smyrna Beach area. He is licensed in the State of Florida (License #AR0013447) since 1990.

## 6. BUILDING DESIGN – EXTERIOR

In accordance with the grant guidelines, the following site improvements have been included in the application proposal.

**Siding/Soffits** – Installation of Hardie plank siding on the perimeter of the building and Hardie trim for corners and windows; paint, caulk and seal all new Hardie siding, trim and soffit; replace railing; installation of Hardie 2' on center beaded Cedarmill soffit.

**Paint** – Paint, caulk and seal all new Hardie siding, trim and soffit. Chosen colors: Benjamin Moore Hawthorne Yellow (HC-4) with trim in Benjamin Moore Navajo White.

**Windows** – Replace 22 windows per Architect window schedule with Anderson 400 Series windows.

**Doors** - Replace 3 exterior doors in accordance with Architect plans specifications, including 1 double entrance doorway in wood for front entrance and two solid metal doors for north and south entrances.

**Roof** - Replace existing roof with standing seam metal roof.

## C. PROPOSED PROJECT SCHEDULE

The following project schedule is being proposed.

11/16/11	Submit application to CRA
12/7/11	CRA Board Meets/Application Approval
12/10/11	Finalize Contractor Bids/Enter into Contracts
12/15/11	Construction Begins
2/28/12	Substantial Completion

3/30/12	Project Completion
---------	--------------------

**D. ON-SITE MEETING**

As required by the grant guidelines, an on-site meeting was held at the subject property location on July, 18, 2011, with the following persons in attendance:

1. Tony Otte
2. Claudia Coulie
3. Marla Nance
4. Darrell Nance
5. Kate Rosenberg
6. Mike Knotek

**E. PERMIT(S)/IMPACT FEE ESTIMATE**

Please see Section G, for correspondence from Gail Henrikson, AICP, dated 10/11/11, indicating that no transportation, police and/or fire impacts are applicable to this project.

**F. LOCAL BUSINESS LICENSE**

MTN Resources began business in the year 2005 in Longwood, FL and has since moved its headquarters to New Smyrna Beach, FL. We have been located on Canal Street for the past three years.

ACCOUNT NO. 5594

ANNUAL FEE: \$ 84.00



ISSUED BY THE OFFICE OF  
THE CITY CLERK

No: OL2011-0652

744137010040

**EXPIRATION DATE** CITY OF NEW SMYRNA BEACH  
**September 30, 2012** BUSINESS TAX RECEIPT

**CODE** CLASSIFICATION \$84.00  
209A PROFESSIONAL

**NAME** MTN RESOURCES LLC  
**CONTACT** MARLA T NANCE  
**BUSINESS ADDRESS** 203 CANAL ST  
Unit: NEW SMYRNA BEACH FL 32168

**NAME** MTN RESOURCES LLC  
**MAILING ADDRESS** 203 CANAL ST  
Unit: NEW SMYRNA BEACH FL 32168

2011/2012

## Volusia County Business Tax Receipt

Issued pursuant to F.S. 205 and Volusia County Code of Ordinances Chapter 114-1 by:  
Volusia County Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 – 386-736-5938



Receipt # 200903260023 Expires: September 30, 2012  
Business Location: 203 CANAL ST  
Business Name: MTN RESOURCES LLC  
Owner Name: MARLA NANCE  
Mailing Address: 203 CANAL ST  
NEW SMYRNA BEACH, FL 32168

<u>BUSINESS TYPE</u>	<u>CODE</u>	<u>COUNT</u>	<u>TAX</u>
Business Service	471	2	\$22.00

- This receipt indicates payment of a tax, which is levied for the privilege of doing the type(s) of business listed above within Volusia County. This receipt is non-regulatory in nature and is not meant to be a certification of the holder's ability to perform the service for which he is registered. This receipt also does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.
- The business must meet all County and/or Municipality planning and zoning requirements or this Business Tax Receipt may be revoked and all taxes paid would be forfeited.
- The information contained on this Business Tax Receipt must be kept up to date. Contact the Volusia County Revenue Division for instructions on making changes to your account.

**THIS PORTION OF THE BUSINESS TAX RECEIPT MUST BE  
POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS**

## Volusia County Business Tax Receipt

Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 – 386-736-5938

DATE PAID: 07/15/2011

PAYMENT Lockbox-10-00099598  
RECEIPT #:

Business Name: MTN RESOURCES LLC  
Owner Name: MARLA NANCE  
Mailing Address: 203 CANAL ST  
NEW SMYRNA BEACH, FL 32168

TOTAL TAX: 22.00

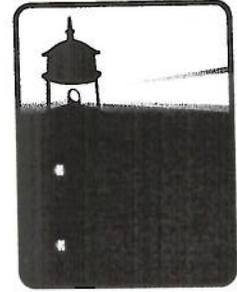
PENALTY: 0.00

TOTAL PAID: 22.00

Receipt # 200903260023 Expires: September 30, 2012  
Business Location: 203 CANAL ST

**PLEASE DETACH THIS PORTION OF THE BUSINESS TAX RECEIPT FOR YOUR RECORDS**

Application NO 3



**SEA-ACTION**  
A Coastal Property Management Company

November 16, 2011

Mr. Tony Otte, Executive Director  
City of New Smyrna Beach Community Redevelopment Agency  
210 Sams Avenue  
New Smyrna Beach, FL 32168

RE: COMBINED GRANT PROGRAM – 306 and 308 N Orange Ave, New Smyrna Beach, FL 32168

Dear Mr. Otte,

As a tenant, Sea-Action Properties and Management, Inc. respectfully requests your consideration of our application for the City of New Smyrna Beach Community Redevelopment Agency Combined Grant Program for purposes of landscaping and exterior repairs and upgrades to be made to our office location at 308 North Orange Ave, New Smyrna Beach, FL 32168.

Sea-Action Properties and Management, Inc. has been in business since 2009 and property management services of condo and home owners associations in the New Smyrna Beach coastal area.

This historical building is truly a landmark in downtown New Smyrna Beach, and we want to keep it that way. It is documented in the community's historical records as a former church. The building is a bungalow style. While originating as a church, the use subsequently changed to commercial office space and in more recent years was used as a print shop.

In the attached packet, we have defined our scope of services to be improvement and upgrade of the parking lot, replacement and installation of siding, windows and doors. Our intent with these improvements is to focus on extending the useful life of the building, establishing a viable business location and revitalizing the historical integrity of the building. We feel the proposed materials, design services, and costs provide the best efficiencies for all of these areas while bringing out the historical beauty of the property.

We are very proud to be afforded the opportunity to operate and conduct our business from the New Smyrna Beach community. We have enjoyed our past three year establishment on Canal Street and look forward to many prosperous years on Orange Avenue.

We thank you in advance for your consideration of this application, as these improvements would help maintain the historical integrity of this property. It's presence in the historical district of New Smyrna Beach represents our community's history and we are proud to be a part of that history.

Thank you,

Marla Nance  
Sea-Action Properties and Management, Inc.

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

**APPLICATION FORM**

**COMBINED GRANT PROGRAM**

(Exterior/Interior Improvements and Impact/Permit Fees)

NAME OF APPLICANT: Sea-Action Properties and Management, Inc.  
306 N Orange Ave., New Smyrna Beach, FL 32168  
 PROPERTY ADDRESS: Parcel ID No. 41-17-34-29-01-0010  
386-402-8586 office  
 PHONE/CELL: 407-616-6890 cell (EMAIL) marlanance@earthlink.net

**TYPE OF IMPROVEMENT PLANNED:**

Exterior X Painting X Landscape X Electrical X  
 Signage X Awning \_\_\_\_\_ Parking Area X Other \_\_\_\_\_  
 Interior \_\_\_\_\_ Permit Fees \_\_\_\_\_ Impact Fees \_\_\_\_\_ Significant Façade \_\_\_\_\_

**PROJECT PROPOSAL ON IMPROVEMENTS**

All Combined Grant Program Applications must be approved by the CRA **prior to work commencing**. (Exception: Professional Design Fees as allowed per Program Guidelines)  
 The following information must be included with the application.

	Exterior	Interior	Significant Façade	Impact Fee/Permits
Written Authorization from Property Owner (if not the applicant)	X	X	X	X
Summary of the scope of work to be performed	X	X	X	X
Two (2) cost estimates from licensed professionals (broken down by Scope of work)	X	X	X	
Written Permit(s)/Impact Fee Estimate from the appropriate Departments				X
Conceptual plans and specifications detailing the scope of work. (*Professional design assistance may be obtained prior to CRA approval at the applicant's own risk)	X	X	X	
Samples of all paint and material colors as well as awning materials to be used on the building and signage.	X	X	X	
Square footage for each eligible façade			X	
Proof of ad valorem taxes (NFPs only)	X	X	X	X

ESTIMATED TOTAL COST OF PROPOSED PROJECT: \$ 128,654.70

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ 20,000.00

ESTIMATED START DATE: December 15, 2011

ESTIMATED COMPLETION DATE: February 24, 2012

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

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

I ACKNOWLEDGE THAT I HAVE RECEIVED AND UNDERSTAND THE DESIGN GUIDELINES (if applicable), THE COMBINED GRANT PROGRAM GUIDELINES AND THE GRANT AGREEMENT.

*Marla T. Nance*

Applicant Signature

Property Owner Signature (if not applicant)

Marla T. Nance

Print Name

Print Name

10/12/11

Date

Date

## Scope of Services

### **A. PROPOSED PROJECT**

Sea-Action Properties and Management, Inc. is a tenant of the subject parcels 306 and 308 N Orange Avenue, New Smyrna Beach, FL 32168, which is located within the New Smyrna Beach Community Redevelopment Agency (CRA) District. Combined, the location consists of a 2016 square foot office building and an adjoining parking lot (approx. 2500 sq ft) on the south side of the property. While the original building was a church, it was subsequently used as a retail/print shop and the tenants intended use is for professional office space.

The renovation project consists of exterior, interior, and landscaping upgrades. It is important to us to achieve a quality image and functional office, while preserving the building's unique character and historical integrity. To ensure that our renovation project meets our needs as well as the expectations of the community, we have enlisted the services of a Building Architect and Landscape Design Architect to assist with this effort. Our goal is for the end product to create pride and confidence in the CRA District by improving the visual quality of this location.

### **B. COMBINED GRANT PROGRAM –**

#### **1. APPLICANT ELIGIBILITY**

The applicant is both the owner and a tenant. The proposed improvements qualify based on the location of the subject property with the CRA district and per the eligible exterior expenditures listing for: Landscaping, Parking Areas, Signage, Electrical, Screenings, Design Assistance, exterior improvements, windows, doors, and roof.

#### **2. FUNDING ELIGIBILITY**

The grant funding availability is up to \$20,000 total per grant. The program requires a 50/50 match. See Summary of Cost Estimates in Section F.

#### **3. LANDSCAPE DESIGN SERVICES**

Christina Lathrop, with Dix.Lathrop and Associates, Inc., is providing landscape architect services for this project. Ms. Lathrop is an established Landscape Architect in the Orlando area. She has been licensed in the State of Florida (License #LA0001340) since 1989.

#### **4. LANDSCAPE DESIGN**

In accordance with the grant guidelines, the following site improvements have been included in the application proposal in accordance with the architect plan set.

Parking Space – Improve existing parking area and create additional parking spaces, in accordance with Landscape Architect Plans, which provide a safe and pleasant working environment for customers and employees. Includes the establishment of 6 parking spaces plus 1 designated handicap parking space (brick pavers).

**Landscaping** – Removal of plant materials, removal and addition of plant materials, irrigation system, vinyl fencing on west side of property (back property line), widening of existing driveway, repair of curb and sidewalk.

**Lighting** – Installation of two parking area lights and 6 exterior lights for security purposes and illumination of signage.

**Signage** – Design, production and installation of new signage to be located on the south side of the parking lot access from Orange Avenue.

## 5. DESIGN SERVICES

**Gerard J. Pendergast Architect, PLC** is performing building architect services for this project. Mr. Pendergast is an established Architect in the New Smyrna Beach area. He is licensed in the State of Florida (License #AR0013447) since 1990.

## 6. BUILDING DESIGN – EXTERIOR

In accordance with the grant guidelines, the following site improvements have been included in the application proposal.

**Siding/Soffits** – Installation of Hardie plank siding on the perimeter of the building and Hardie trim for corners and windows; paint, caulk and seal all new Hardie siding, trim and soffit; replace railing; installation of Hardie 2' on center beaded Cedarmill soffit.

**Paint** – Paint, caulk and seal all new Hardie siding, trim and soffit. Chosen colors: Benjamin Moore Hawthorne Yellow (HC-4) with trim in Benjamin Moore Navajo White.

**Windows** – Replace 22 windows per Architect window schedule with Anderson 400 Series windows.

**Doors** - Replace 3 exterior doors in accordance with Architect plans specifications, including 1 double entrance doorway in wood for front entrance and two solid metal doors for north and south entrances.

**Roof** - Replace existing roof with standing seam metal roof.

## C. PROPOSED PROJECT SCHEDULE

The following project schedule is being proposed.

11/16/11	Submit application to CRA
12/7/11	CRA Board Meets/Application Approval
12/10/11	Finalize Contractor Bids/Enter into Contracts
12/15/11	Construction Begins
2/28/12	Substantial Completion

3/30/12	Project Completion
---------	--------------------

**D. ON-SITE MEETING**

As required by the grant guidelines, an on-site meeting was held at the subject property location on July, 18, 2011, with the following persons in attendance:

1. Tony Otte
2. Claudia Coulie
3. Marla Nance
4. Darrell Nance
5. Kate Rosenberg
6. Mike Knotek

**E. PERMIT(S)/IMPACT FEE ESTIMATE**

Please see Section G, for correspondence from Gail Henrikson, AICP, dated 10/11/11, indicating that no transportation, police and/or fire impacts are applicable to this project.

**F. LOCAL BUSINESS LICENSE**

Sea-Action Properties and Management, Inc. began business in the year 2009 in New Smyrna Beach, FL. We have been located on Canal Street for the past three years.

**G. PROFESSIONAL LICENSE**

Sea-Action Properties and Management, Inc. is a licensed Community Association Management Firm (CAM) in the State of Florida, registered with the Board of Accountancy.

EXPIRATION DATE

September 30, 2012

CITY OF NEW SMYRNA BEACH

ACCOUNT NO. 5667

**BUSINESS TAX RECEIPT**

ANNUAL FEE: \$ 84.00



ISSUED BY THE OFFICE OF  
THE CITY CLERK

No: OL2011-0657

744 137010040

CODE CLASSIFICATION

209A PROFESSIONAL \$84.00

NAME SEA-ACTION PROPERTIES AND MANAGEMENT INC

CONTACT MARLA NANCE

BUSINESS ADDRESS 203 CANAL ST

Unit:

NEW SMYRNA BEACH FL 32168

NAME SEA-ACTION PROPERTIES AND MANAGEMENT INC

MAILING ADDRESS 203 CANAL ST

Unit:

NEW SMYRNA BEACH FL 32168

2011/ 2012

**Volusia County Business Tax Receipt**

Issued pursuant to F.S. 205 and Volusia County Code of Ordinances Chapter 114-1 by:  
Volusia County Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 – 386-736-5938



Receipt # 200903260024 Expires: September 30, 2012  
Business Location: 203 CANAL ST

Business Name: SEA ACTION PROPERTIES & MANAGEMEN  
Owner Name: SEA ACTION PROPERTIES & MANAGEMEN  
Mailing Address: 203 CANAL ST  
NEW SMYRNA BEACH, FL 32168

BUSINESS TYPE	CODE	COUNT	TAX
Professional	461	0	\$30.00

- This receipt indicates payment of a tax, which is levied for the privilege of doing the type(s) of business listed above within Volusia County. This receipt is non-regulatory in nature and is not meant to be a certification of the holder's ability to perform the service for which he is registered. This receipt also does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.
- The business must meet all County and/or Municipality planning and zoning requirements or this Business Tax Receipt may be revoked and all taxes paid would be forfeited.
- The information contained on this Business Tax Receipt must be kept up to date. Contact the Volusia County Revenue Division for instructions on making changes to your account.

**THIS PORTION OF THE BUSINESS TAX RECEIPT MUST BE POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS**

**Volusia County Business Tax Receipt**

Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 – 386-736-5938

DATE PAID: 07/15/2011

PAYMENT Lockbox-10-00099495 Business Name: SEA ACTION PROPERTIES & MANAGEMEN  
RECEIPT #: Owner Name: SEA ACTION PROPERTIES & MANAGEMEN

Mailing Address: 203 CANAL ST  
NEW SMYRNA BEACH, FL 32168

TOTAL TAX: 30.00

PENALTY: 0.00

TOTAL PAID: 30.00

Receipt # 200903260024 Expires: September 30, 2012  
Business Location: 203 CANAL ST

PLEASE DETACH THIS PORTION OF THE BUSINESS TAX RECEIPT FOR YOUR RECORDS



STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

COMMUNITY ASSOCIATION MANAGERS
1940 NORTH MONROE STREET
TALLAHASSEE FL 32399-0783

(850) 487-1395

SEA-ACTION PROPERTIES AND MANAGEMENT INC
203 CANAL STREET
NEW SMYRNA BEACH FL 32168

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto www.myfloridalicense.com.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers.



STATE OF FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

AC# 5654796

CAB2871 07/22/11 108248049

CAM FIRM SEA-ACTION PROPERTIES AND MANAGE

IS LICENSED under the provisions of Ch.468 FS. Expiration date: SEP 30, 2013 L11072201344

DETACH HERE

AC# 5654796

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
COMMUNITY ASSOCIATION MANAGERS

SEQ# L11072201344

Table with 3 columns: DATE, BATCH NUMBER, LICENSE NBR. Row 1: 07/22/2011, 108248049, CAB2871

The CAM FIRM Named below IS LICENSED Under the provisions of Chapter 468 FS. Expiration date: SEP 30, 2013

SEA-ACTION PROPERTIES AND MANAGEMENT INC
203 CANAL STREET
NEW SMYRNA BEACH FL 32168

RICK SCOTT GOVERNOR

DISPLAY AS PERMITTED BY LAW

KEN LAWSON SECRETARY

# **Backup to support Applications 1 through 3**

BOUNDARY SURVEY

D1



PREPARED BY:  
**A.A. WILBERT JR., LAND SURVEYING, INC.**

54-A VINING CT. ORMOND BEACH, FLORIDA 32176-6641  
(386) 676-8058  
L.B. # 4267

**LEGAL DESCRIPTION: ( PROVIDED BY CLIENT )**

THE NORTH 34 FEET OF LOT 1 AND THE NORTH 60 FEET OF THE SOUTH 166 FEET OF LOT 1, AND THE NORTH 100 FEET OF LOT 2, BLOCK 1, PITZER & NELSEN SUBDIVISION AS PER MAP IN MAP BOOK 1, PAGE 96 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

THIS PLAT IS HEREBY CERTIFIED TO:

- 1.) M & T PRINTERS, INC.
- 2.) FRIENDS BANK
- 3.) FIRST AMERICAN TITLE INSURANCE COMPANY
- 4.)

THIS PLAT IS HEREBY CERTIFIED AS MEETING THE MINIMUM TECHNICAL STANDARDS (61G17-6, F.A.C.) SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

THE TERM CERTIFIED AS USED IN THIS STATEMENT, IS UNDERSTOOD TO BE THE PROFESSIONAL OPINION OF THIS SURVEYOR AND FIRM WHICH IS FORMULATED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AND AS SUCH, IT DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, FURTHERMORE, THIS SURVEYOR AND FIRM DOES NOT ASSUME RESPONSIBILITY AND SHALL NOT BE LIABLE FOR CLAIMS ARISING FROM ERRONEOUS OR INCORRECT INFORMATION FURNISHED BY THE OWNER, LENDER, OR OWNER'S CONTRACTORS OR OTHERS, WHICH IS USED AS A BASIS TO FORMULATE THIS SURVEYORS OPINION.

JOB # 06-6701  
FILE # 06-6701  
FIELD SURVEY DATE: 4/9/06  
SIGNATURE DATE: 4/21/06  
MEDIUM: DVD

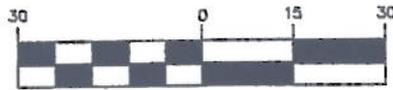
SEAL

ANDREW A. WILBERT, JR. P.L.S. # 2620 VALID ONLY WITH EMBOSSED SEAL  
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID

PAGE 1 OF 3 PAGES  
NOT VALID WITHOUT PAGES 2 AND 3

PITZER N NELSON PART LOT 1 & 2





1 inch = 30 ft.

FD. 1/2" IP  
NO I.D.  
SET 5/8" IR&C  
#2620

LEY  
15" WIDE CONC.

111.00'  
2.15'

0.23' CLEAR  
0.27' CLEAR

5.03'      65.23'      104.45'      49.25'

SET 5/8" IR&C  
#2620

FD. 3/4" IP  
NO I.D.

FD. 1" IP  
NO I.D.

FD. 5/8"  
LB 2599

## LEGEND

° = DEGREES, ' = MINUTES, " = SECONDS:  
 WHEN USED IN A BEARING  
 ' = FEET, " = INCHES: WHEN USED IN A DISTANCE  
 C = CENTERLINE  
 Δ = DELTA = CENTRAL ANGLE  
 -x- = FENCE  
 ◇ = FIRE HYDRANT  
 ☆ = LIGHT POLE  
 ± = MORE OR LESS  
 ⚡ = UTILITY POLE  
 OH-E = OVERHEAD ELECTRIC  
 OH-T = OVERHEAD TELEPHONE  
 ⊙ = SET 5/8" IR&C (#2620)  
 UNLESS OTHERWISE NOTED  
 ⊕ = WATER VALVE  
 A/C = AIR CONDITIONER  
 A = ARC LENGTH  
 AC = ACRES  
 ASPH = ASPHALT  
 BFE = BASE FLOOD ELEVATION  
 BM = BENCHMARK  
 (C) = CALCULATED  
 CATV = CABLE TV  
 C&G = CURB & GUTTER  
 CH = CHORD DISTANCE  
 CH. BR. = CHORD BEARING  
 CLF = CHAIN-LINK FENCE  
 C.M = CONCRETE MONUMENT  
 CMP = CORRUGATED METAL PIPE

C.O. = CLEAN OUT  
 (D) = DEED CALL  
 (DESC) = DESCRIPTION  
 E = EAST  
 EL = ELEVATION  
 EM = ELEC. METER  
 ESMT = EASEMENT  
 (F) = FIELD MEASUREMENT  
 FD = FOUND  
 F.D.O.T. = FLORIDA DEPARTMENT  
 OF TRANSPORTATION  
 FP&L = FLORIDA POWER & LIGHT  
 FR = FRAME  
 IR&C = IRON ROD & CAP  
 I.P. = IRON PIPE  
 I.R. = IRON ROD  
 (M) = FIELD MEASURED  
 MAS = MASONRY  
 MB = MAP BOOK  
 MH = MANHOLE  
 N = NORTH  
 N.A.V.D.88 = NORTH AMERICAN  
 VERTICAL DATUM  
 N&C = NAIL & CAP  
 N.G.V.D. 1929 = NATIONAL GEODETIC  
 VERTICAL DATUM  
 NO ID. = NO IDENTIFICATION  
 (NR) = NON-RADIAL LINE  
 N&T = NAIL & TAB  
 OR = OFFICIAL RECORDS BOOK & PAGE  
 OHE = OVER HEAD ELECTRIC  
 (P) = PLAT

P.C. = POINT OF CURVATURE  
 PCP = PERMANENT CONTROL POINT  
 PG = PAGE  
 POB = POINT OF BEGINNING  
 P.O.R. = POINT OF REFERENCE  
 PRM = PERMANENT REFERENCE MONUMENT  
 P.T. = POINT OF TANGENCY  
 (R) = RADIAL LINE  
 R = RADIUS  
 RCP = REINFORCED CONCRETE PIPE  
 RES = RESIDENCE  
 RGE = RANGE  
 ROD = REINFORCING ROD  
 RR SPK = RAILROAD SPIKE  
 R/W = RIGHT-OF-WAY  
 S = SOUTH  
 SBT&T = SOUTHERN BELL  
 SEC = SECTION  
 STY = STORY  
 T = TANGENT  
 TWP = TOWNSHIP  
 W = WEST  
 WF = WOOD FENCE  
 WM = WATER METER  
 ☎ = TELEPHONE BOX  
 ☎ = FIBER OPTIC CABLE BOX  
 ☎ = CATV BOX  
 ☎ = ELECTRIC SERVICE  
 ☎ = FP&L TRANSFORMER  
 ON CONCRETE PAD  
 ☎ = FIBER OPTIC POLE  
 UFOC = UNDERGROUND FIBER OPTIC CABLE

### SURVEYOR'S NOTES:

- (1) The expected use of the land is Commercial. As classified in the Minimum Technical Standards (61G17-6, F.A.C.) This area would fall under the category of "Commercial/High Risk". The minimum relative accuracy for this type of boundary survey is 1 foot in 10,000 feet. The accuracy obtained by measurement with an electronic total station and calculation of a closed geometric figure was found to exceed this requirement.
- (2) The description of the property was supplied by the client. A Title Report/Abstract was not provided for reference. Plats of record of the subject properties and referenced recorded documents were obtained from the Clerk of the Court's office in Volusia County. No instruments of record reflecting easements, rights-of-way and or ownership were furnished this surveyor, except as shown
- (3) There may be other restrictions of record in the Public Records of this County, including those in specific Conditions of Covenants and Restrictions for this subdivision, that are not shown on this survey or have not been provided for reference.
- (4) All equipment was tested and calibrated. Two sets of angles were turned and averaged. Distances were measured in feet and meters and averaged with the distances shown in feet.
- (5) There are no inconsistencies with the boundary. All corners found were within acceptable standards for location and new corner monumentation was set at the missing corners.
- (6) Unless otherwise noted, all bearings and distances are field measured and are in agreement with the provided deed or record plat.
- (7) All angle are shown as field measured with the record plat, which shows no bearings or angles.
- (8) Ownership of fences was not known or determined.
- (9) Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without the written consent of the signing party or parties. (Section 61G17-6.003(2)(e), F.A.C.)
- (10) This property lies in Flood Zone "X Gray" as scaled from FEMA--Fir Map Number 12127C0543 G, FIR Map dated April 15, 2002, map index dated February 19, 2003.

DRAWING DATE	TYPE OF SURVEY	REVISIONS	FIELD SURVEYED	FIELD BOOK	PARTY CHIEF	DRAWN BY	CHECKED BY
4/21/06	BOUNDARY		4/09/06	157/28,DC	MFP	RLA	AAW





E3



## Philips Hanover Lantern

- Residential
- Commercial
- Landscape

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Visual Search 

Anchor Base Post (317-): Commercial: Commercial Posts



**Specifications**

**CONSTRUCTION:** Cast aluminum octagonal anchor base. Cast aluminum removable access door. Cast aluminum upper base welded to base and post. Straight post welded to base. Cast aluminum square cover included with post.

**FINISH:** Resilient TGIC thermoset polyester powdercoat paint is electrostatically applied to every fixture. Specially formulated for Hanover Lantern, it provides UV protection, and the highest temperature rating in the industry. In addition to the standard color choices shown, a spectrum of custom colors is available.

**WARRANTY:** Three-year limited warranty

**Tenon/Top:** 4" O.D.

**Bolt Circle:** 12 3/8" dia.

**Anchor Rods:** (4) 1/2" dia. x 18" long zinc plated steel

**Base Dimensions:** 11 1/2" sq. x 12 1/4"

**Shaft:** 4" Straight

**Wall Thickness:** .125"

**Height:** 8', 10', 12', 14'

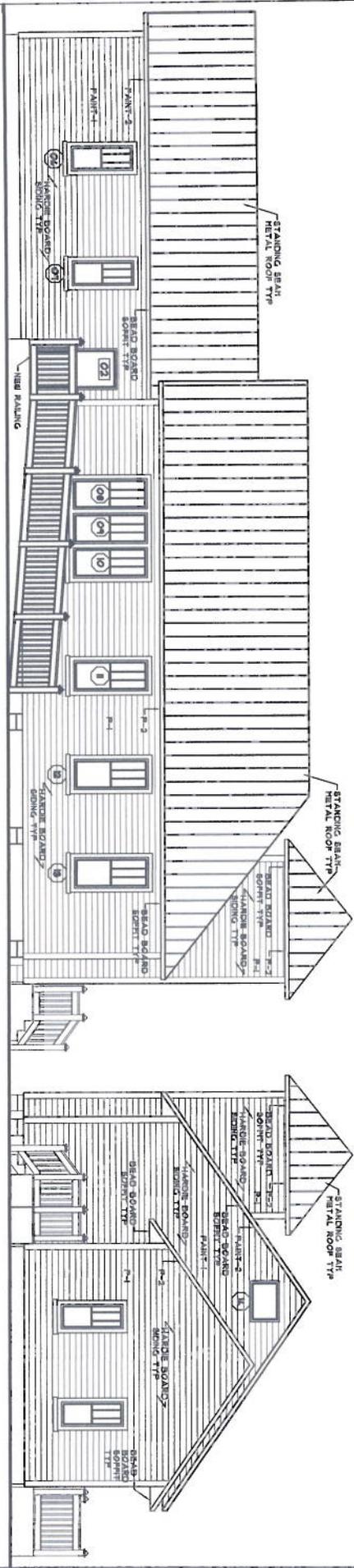
**Additional Information**

-  Specification Sheet
-  Product Shots

**Ordering Guide**

Example: 317- 8 ABS B 1

Product Code	317- Anchor Base Post
Height(s)	8 (8 ft.) 10 (10 ft.) 12 (12 ft.) 14 (14 ft.)
Finish	 ABS Antique Brass  ACP Antique Copper  ARD Antique Red  ASI Antique Silver

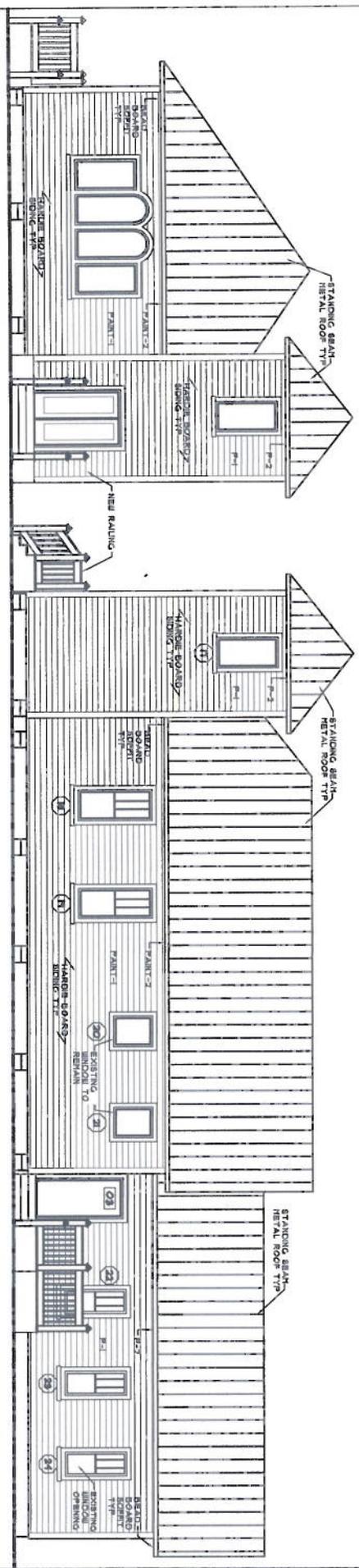


**SOUTH ELEVATION**

SCALE: 1/4"=1'-0"

**WEST ELEVATION**

SCALE: 1/4"=1'-0"



**NORTH ELEVATION**

SCALE: 1/4"=1'-0"

**EAST ELEVATION**

SCALE: 1/4"=1'-0"

DATE: SEPTEMBER 21, 2018  
 REVISIONS

**A4** NEW ELEVATIONS

**MTN RESOURCES** page 132 of 21  
 202 GRANGER AVENUE  
 NEW HYDRUS BEACH, FL 32566

**GERARD J. PENDERGAST**  
 150 CANAL STREET, NEW HYDRUS BEACH, FLORIDA 32566  
 PH: (904) 437-5023 FAX: (904) 437-5011

ARCHITECTURE/PLANNING  
 AR 008441

PERMIT SET

00		WINDOW SCHEDULE			
NUMBER	SIZE	TYPE			
	WIDTH X HEIGHT				
01	EXISTING OPENING	FIXED	A	ANDERSEN 400 SERIES-STORMWATCH	
02	EXIST. ARCH OPENING	FIXED	B	ANDERSEN 400 SERIES-CUSTOM ARCH - STORMWATCH	
03	EXIST. ARCH OPENING	FIXED	B	ANDERSEN 400 SERIES-CUSTOM ARCH - STORMWATCH	
04	EXISTING OPENING	FIXED	A	ANDERSEN 400 SERIES-STORMWATCH	
05	EXISTING OPENING	FIXED	C	ANDERSEN 400 SERIES-STORMWATCH	
06	24"x60"	DBL HUNG	F	ANDERSEN 400 SERIES-STORMWATCH	
07	24"x60"	DBL HUNG	F	ANDERSEN 400 SERIES-STORMWATCH	
08	32"x12"	DBL HUNG	D	ANDERSEN 400 SERIES-STORMWATCH	
09	32"x12"	DBL HUNG	D	ANDERSEN 400 SERIES-STORMWATCH	
10	32"x12"	DBL HUNG	D	ANDERSEN 400 SERIES-STORMWATCH	
11	32"x12"	DBL HUNG	D	ANDERSEN 400 SERIES-STORMWATCH	
12	32"x12"	DBL HUNG	D	ANDERSEN 400 SERIES-STORMWATCH	
13	32"x12"	DBL HUNG	D	ANDERSEN 400 SERIES-STORMWATCH	
14	24"x60"	DBL HUNG	F	ANDERSEN 400 SERIES-STORMWATCH	
15	24"x60"	DBL HUNG	F	ANDERSEN 400 SERIES-STORMWATCH	
16	EXISTING OPENING	FIXED	G	ANDERSEN 400 SERIES-STORMWATCH	
17	EXISTING OPENING	FIXED	C	ANDERSEN 400 SERIES-STORMWATCH	
18	32"x12"	DBL HUNG	D	ANDERSEN 400 SERIES-STORMWATCH	
19	32"x12"	DBL HUNG	D	ANDERSEN 400 SERIES-STORMWATCH	
20	EXISTING TO REMAIN	DBL HUNG	E	ANDERSEN 400 SERIES-STORMWATCH	
21	EXISTING TO REMAIN	DBL HUNG	E	ANDERSEN 400 SERIES-STORMWATCH	
22	24"x60"	DBL HUNG	F	ANDERSEN 400 SERIES-STORMWATCH	
23	24"x60"	DBL HUNG	F	ANDERSEN 400 SERIES-STORMWATCH	
24	24"x60"	DBL HUNG	F	ANDERSEN 400 SERIES-STORMWATCH	

NOTE:  
 1. SOME WINDOWS ARE INACCESSIBLE. CONTRACTOR TO VERIFY ROUGH OPENINGS PRIOR TO ORDERING NEW WINDOWS. OWNER TO APPROVE WINDOW TYPE PRIOR TO ORDERING.  
 2. OWNER TO APPROVE INTERIOR WINDOW TRIM.

WINDOW TYPES

TYPE A TYPE B TYPE B TYPE A  
 TYPE C  
 TYPE D  
 TYPE E  
 TYPE F  
 TYPE G

00		DOOR SCHEDULE					
NUMBER	SIZE WxH	STYLE	MATERIAL	FRAME	THRESHOLD	NOTES	
01	(2) 2'-4" x 7'-0"	A SWING	WOOD	WOOD	ALUM	JELD_WEN_EXTERIOR	
02	3'-0" x 7'-0"	B SWING	MTL	MTL	ALUM	JELD_WEN_EXTERIOR	
03	3'-0" x 7'-0"	B SWING	MTL	MTL	ALUM	JELD_WEN_EXTERIOR	
04	3'-0" x 6'-8"	D BI-FOLD	WOOD	WOOD	WOOD	STAIN_GRADE	
05	3'-0" x 6'-8"	D BI-FOLD	WOOD	WOOD	WOOD	STAIN_GRADE	
06	3'-0" x 6'-8"	C SWING	WOOD	WOOD	WOOD	STAIN_GRADE	
07	3'-0" x 6'-8"	C SWING	WOOD	WOOD	WOOD	STAIN_GRADE	
08	3'-0" x 6'-8"	C SWING	WOOD	WOOD	WOOD	STAIN_GRADE	
09	3'-0" x 6'-8"	C SWING	WOOD	WOOD	MARBLE	STAIN_GRADE	
10	(2) 3'-0" x 6'-8"	E POCKET	WOOD	WOOD	WOOD	STAIN_GRADE	
11	2'-0" x 6'-8"	F SWING	WOOD	WOOD	WOOD	STAIN_GRADE	
12	3'-0" x 7'-0"	B SWING	MTL	MTL	ALUM	-	

NOTE:  
1. OWNER TO APPROVE INTERIOR DOOR TRIM.

DOOR TYPES

# HardiePlank® **HL5** Lap Siding



EFFECTIVE NOVEMBER 2010

Visit [www.jameshardie.com](http://www.jameshardie.com) for the most recent version.

INSTALLATION REQUIREMENTS - PRIMED &amp; COLORPLUS® PRODUCTS

**SELECT CEDARMILL® - SMOOTH - COLONIAL SMOOTH® - COLONIAL ROUGHSAWN® - BEADED CEDARMILL®  
BEADED SMOOTH - STRAIGHT-EDGE SHINGLE PLANK**

**IMPORTANT: FAILURE TO INSTALL AND FINISH THIS PRODUCT IN ACCORDANCE WITH APPLICABLE BUILDING CODES AND JAMES HARDIE WRITTEN APPLICATION INSTRUCTIONS MAY LEAD TO PERSONAL INJURY, AFFECT SYSTEM PERFORMANCE, VIOLATE LOCAL BUILDING CODES, AND VOID THE PRODUCT ONLY WARRANTY. BEFORE INSTALLATION, CONFIRM THAT YOU ARE USING THE CORRECT HARDIEZONE™ PRODUCTS INSTRUCTIONS. TO DETERMINE WHICH HARDIEZONE™ APPLIES TO YOUR LOCATION, VISIT [WWW.HARDIEZONE.COM](http://WWW.HARDIEZONE.COM) OR CALL 1-866-942-7343 (866 9HARDIE)**

## STORAGE & HANDLING:

Store flat and keep dry and covered prior to installation. Installing siding wet or saturated may result in shrinkage at butt joints. Carry planks on edge. Protect edges and corners from breakage. James Hardie is not responsible for damage caused by improper storage and handling of the product.



## CUTTING INSTRUCTIONS

### OUTDOORS

- Position cutting station so that wind will blow dust away from user and others in working area.
- Use one of the following methods:
  - Best:
    - Score and snap
    - Shears (manual, electric or pneumatic)
  - Better:
    - Dust reducing circular saw equipped with a HardieBlade® saw blade and HEPA vacuum extraction
  - Good:
    - Dust reducing circular saw with a HardieBlade saw blade (only use for low to moderate cutting)

### INDOORS

- Cut only using score and snap, or shears (manual, electric or pneumatic).
- Position cutting station in well-ventilated area

- NEVER use a power saw indoors
- NEVER use a circular saw blade that does not carry the HardieBlade saw blade trademark
- NEVER dry sweep – Use wet suppression or HEPA Vacuum

Important Note: For maximum protection (lowest respirable dust production), James Hardie recommends always using "Best"-level cutting methods where feasible.

NIOSH-approved respirators can be used in conjunction with above cutting practices to further reduce dust exposures. Additional exposure information is available at [www.jameshardie.com](http://www.jameshardie.com) to help you determine the most appropriate cutting method for your job requirements. If concern still exists about exposure levels or you do not comply with the above practices, you should always consult a qualified industrial hygienist or contact James Hardie for further information.

SD083105

**IMPORTANT: To prevent damage to the drip edge, extra care should be taken when removing planks from the pallet, while handling, and when installing with a lap gauge. Please see additional handling requirements on page 4.**

## GENERAL REQUIREMENTS:

- HardiePlank® lap siding can be installed over braced wood or steel studs spaced a maximum of 24" o.c. or directly to minimum 7/16" thick OSB sheathing. Irregularities in framing and sheathing can mirror through the finished application.
- HardiePlank lap siding can also be installed over foam insulation/sheathing up to 1" thick. When using foam insulation/sheathing, avoid over-driving nails (fasteners), which can result in dimpling of the siding due to the compressible nature of the foam insulation/sheathing. Extra caution is necessary if power-driven nails (fasteners) are used for attaching siding over foam insulation/sheathing.
- A water-resistive barrier is required in accordance with local building code requirements. The water-resistive barrier must be appropriately installed with penetration and junction flashing in accordance with local building code requirements. James Hardie will assume no responsibility for water infiltration. James Hardie does manufacture HardieWrap® Weather Barrier, a non-woven non-perforated housewrap<sup>1</sup>, which complies with building code requirements.
- When installing James Hardie products all clearance details in figs. 3, 4, 5, 6, 7, 8, & 9 must be followed.
- Adjacent finished grade must slope away from the building in accordance with local building codes - typically a minimum of 6" in the first 10'.
- Do not use HardiePlank lap siding in Fascia or Trim applications.
- Do not install James Hardie products, such that they may remain in contact with standing water.
- HardiePlank lap siding may be installed on flat vertical wall applications only.
- DO NOT use stain on James Hardie® products.
- For larger projects, including commercial and multi-family projects, where the span of the wall is significant in length, the designer and/or architect should take into consideration the coefficient of thermal expansion and moisture movement of the product in their design. These values can be found in the Technical Bulletin "Expansion Characteristics of James Hardie® Siding Products" at [www.JamesHardie.com](http://www.JamesHardie.com).

## INSTALLATION:

### JOINT TREATMENT†

(Required for ColorPlus® Finish, Recommended for Primed product) James Hardie does not recommend the use of caulk at field butt joints. Install factory finished edges together at butt joints.

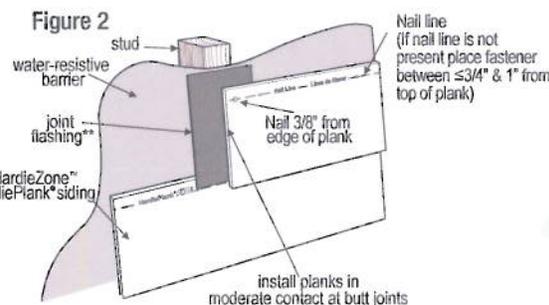
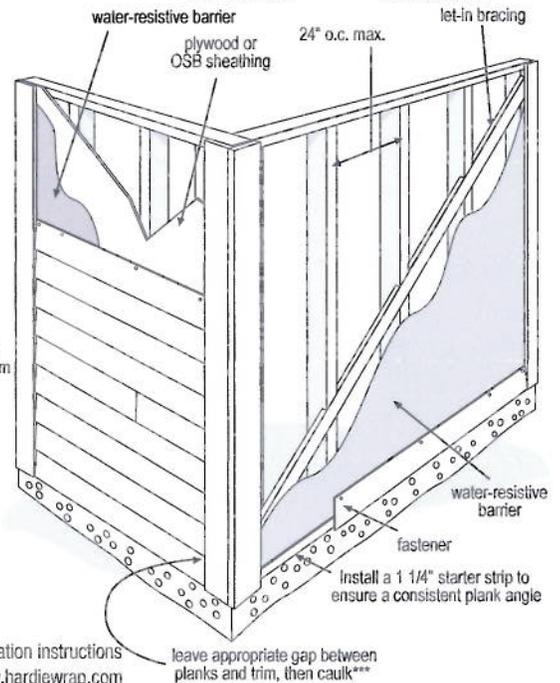


Figure 1 Double Wall Construction Single Wall Construction



\*For other jointing options, refer to local building code or NER 405

\*\*As required by local building code

\*\*\*Apply caulk in accordance with caulk manufacturers written application instructions

<sup>1</sup>For additional information on HardieWrap® Weather Barrier, consult James Hardie at 1-866-4Hardie or [www.hardiewrap.com](http://www.hardiewrap.com)

### WARNING: AVOID BREATHING SILICA DUST

James Hardie® products contain respirable crystalline silica, which is known to the State of California to cause cancer and is considered by IARC and NIOSH to be a cause of cancer from some occupational sources. Breathing excessive amounts of respirable silica dust can also cause a disabling and potentially fatal lung disease called silicosis, and has been linked with other diseases. Some studies suggest smoking may increase these risks. During installation or handling: (1) work in outdoor areas with ample ventilation; (2) use fiber cement shears for cutting or, where not feasible, use a HardieBlade saw blade and dust-reducing circular saw attached to a HEPA vacuum; (3) warn others in the immediate area; (4) wear a properly-fitted, NIOSH-approved dust mask or respirator (e.g. N-95) in accordance with applicable government regulations and manufacturer instructions to further limit respirable silica exposures. During clean-up, use HEPA vacuums or wet cleanup methods - never dry sweep. For further information, refer to our installation instructions and Material Safety Data Sheet available at [www.jameshardie.com](http://www.jameshardie.com) or by calling 1-800-9HARDIE (1-800-942-7343). FAILURE TO ADHERE TO OUR WARNINGS, MSDS, AND INSTALLATION INSTRUCTIONS MAY LEAD TO SERIOUS INJURY OR DEATH.

308 N Orange Avenue, New Smyrna Beach, FL  
 Community Redevelopment Agency (CRA)  
 Summary of Proposed Costs - Combined Grant

Eligible Services	Landscaping			Landscaping			Landscaping			Building			Best Quote/ Totals
	Coastal Landscapes	Felber Landscaping & Irrigation	Lindley's	D2	F&M	Fast Signs	B&C Signs	Dix Lathrop	Platinum Building & Remodeling	Rick A. Eckert, LLC	Milano	Gerard Pendergraft	
Landscaping Site Work, Irrigation, plant materials, handicap parking, widening of driveway, curb and sidewalk repair, parking stops, lighting, electrical	\$ 22,807.00	\$ 25,239.50	\$ 26,140.87										\$ 22,807.00
Concrete Work Widen driveway, permits, Meter Cover, demo existing curb and sidewalk and replace				\$ 3,006.00	\$ 2,750.00								\$ 2,750.00
Signage Sandblasted cedar side panels sign with aluminum frame, installation and permits						\$ 4,092.75	\$ 2,742.00						\$ 2,742.00
Landscaping Architect Landscape Architect Services - Dix Lathrop Total Contract \$6,700.00 (limited to 10% of landscape construction costs - landscape and signage)								\$ 6,700.00					\$ 2,555.70
Windows, Doors, Siding, Roof Hardie board 2" siding, trim, head board soffits, installation, painting; replace exterior windows with Anderson double pane Low E Impact resistance windows; replace 2 exterior doors and storefront door; standing seam metal roof									\$ 109,700.00	\$ 91,150.00			\$ 91,150.00
Building Architect Building Architect Services - Gerard Pendergraft - Total Contract \$6,650.00 (limited to .10% of building construction costs - windows and siding)												\$ 6,650.00	\$ 6,650.00
<b>TOTAL</b>												\$ 128,654.70	
50/50 Match												\$ 64,327.35	
Requested Funding Assistance												\$ 20,000.00	

Coastal Landscapes  
 PO Box 973  
 New Smyrna Beach, FL 32170  
 386-428-6788  
 mike@coastallandscapesnsb.com  
 Coastallandscapesnsb.com



10/06/2011

1 - 40000

1000

MIN Resources  
 308 North Orange Ave  
 New Smyrna Beach, FL 32168

Mike

• SITE WORK: Prepare site for new landscaping; Obtain all necessary permits from the City of NSB; Remove 8 specified Sabals that will be encroaching in new shell parking area (Not recommended relocating Sabals); Remove dead Camphor Tree; Trim all existing Sabals to remain; Remove all under brush along West and South property line; Delicately trim existing trees; debris containers	1	2,500.00	2,500.00
• IRRIGATION: Install three zones of low drip irrigation per Volusia County Water Wise regulations; Department of Health permit; Rain Bird Outdoor Irrigation Controller; Rain Bird Solenoid valves; Back Flow Preventer; Netafim drip tubing; Spray emitters on all plant material	1	1,500.00	1,500.00
• PLANT MATERIAL	1	0.00	0.00
• 30 gallon Weeping Yupon	1	175.00	175.00
• 25 gallon Tortulosa Juniper	1	175.00	175.00
• B&B Sabal Palm - Regenerated with full head	8	300.00	2,400.00
• 65 gallon Alice Elm	4	250.00	250.00
• 1 gallon Cast Iron Plant	40	6.00	240.00
• 1 gallon Orange Bulbine	84	6.00	504.00
• 1 gallon Flax Lily	21	6.00	126.00
• 1 gallon Beach Sunflower	19	5.00	95.00
• 3 gallon Dwarf Yaupon Holly	21	10.00	210.00
• 3 gallon Gulf Mahly Grass	31	10.00	310.00
• 3 gallon Dwarf Walter's Viburnum	278	10.00	2,780.00
• 3 gallon Coontie	10	20.00	200.00
• Pine straw - 3232 square feet - 165 bails	165	7.00	1,155.00
• HARDSCAPE	1	0.00	0.00
• Install 15' x 25' paver Handicap parking space and install 45' x 8' paver walkway to handicap ramp. Material used will be a standard grey cement pavers 6"x9" and 6"x6" in a "T" pattern. Total Square footage is 630.	630	4.00	2,520.00
• Install and compact approximately 4000 square feet of Crushed concrete; Install 7 parking stops	1	1,750.00	1,750.00

Continue to the next page.

• FENCING	1	0.00	0.00
• Install 144 Linear Feet of 6' tall vinyl fencing (Tan)	1	3,280.00	3,280.00
• ELECTRICAL	1	0.00	0.00
• Labor for Electrical (Attached is proposal)	1	1,637.00	1,637.00
• Material cost for Fixtures	1	1,000.00	1,000.00

TOTAL \$22,807.00

F2b

Felber Landscaping & Irrigation

5919 John Anderson  
 Flagler Beach, FL 32136

Estimate

Date	Estimate #
10/4/2011	54

Name / Address
MTN Marla Neese Job: 308 Orange St. NSB F1

			Project
Description	Qty	Rate	Total
Allee Elm 3.5"	1	475.00	475.00
Move 5 Sable palms	5	125.00	625.00
Sable Palms	3	195.00	585.00
coontie	10	18.00	180.00
Schillings	24	12.00	288.00
Weeping Yaupon 30 gal.	1	175.00	175.00
Muhly grass 3 gal.	31	12.00	372.00
Dune Sunflower	19	4.50	85.50
Torulosa 30 gallon	1	185.00	185.00
Bulbine	84	4.50	378.00
Dianella	21	5.00	105.00
Aspidistra	40	4.50	180.00
Saw Palmetto	3	20.00	60.00
Bales of pine straw	110	8.00	880.00
Shell delivered and installed	80	23.00	1,840.00
Curb stops	7	38.00	266.00
Prep for shell base by machine	8	75.00	600.00
Man Hrs. Clean up underbrush/hand grade swale	16	35.00	560.00
River Jacks	2	175.00	350.00
30 yard dumpsters	2	395.00	790.00
Fence 140 foot Brown vinyl 6'	1	4,475.00	4,475.00
Pervious parking in square feet	520	6.75	3,510.00
Irrigation system	1	1,675.00	1,675.00
Parking lot lighting/fixture and installation	2	3,300.00	6,600.00
<b>Total</b>			<b>\$25,239.50</b>





**D-2 Site LLC**  
 116 Canal St., Suite B  
 New Smyrna, FL 32168  
 Phone. 386.663.2367, Fax. 386.428.4141

F2d

**PROPOSAL**

S MTN DATE: 10/5/2011  
 PH. PROJECT: 308 N. Orange Ave  
 FAX.

Proposal Base on plans prepared by EPI 1/21/11

Description	Qty.	Unit	Price	Total
Remove and dispose of trees per plan 8 Palm Tress 1 Oak Stump strip site of grass and underbrush for landscaping	1	LS	\$2,200.00	\$2,200.00
Traffic Rated Water Meter Cover.	1	LS	\$350.00	\$350.00 (A)
Driveway Permit	1	LS	\$400.00	\$400.00 (A)
Shell Parking area Excavate 6" soil in parking area proof roll , install and grade 6" of shell and compact with roller	451	SY	\$5.20	\$2,345.20
Demo and dispose of existing curb and sidewalk for new driveway	1	LS	\$600.00	\$600.00 (A)
6" Concrete Driveway on Orange Ave approx. 24' X 10' includes replacing 5' of broken sidewalk and tying into existing curb	240	SF	\$6.90	\$1,656.00 (A)
Wheel Stops 5 if existing 2 are usable	7	EA	\$40.00	\$280.00
				\$7,831.20

(A) = 3006.00

**NOTES:**

- Testing and AS-Built Survey if necessary by others
- No striping or signs
- D2 will apply for and pick up driveway permit .
- No sod seed mulch or landscaping
- No removal or replacement of any unsuitable materials

We Propose to furnish labor, equipment and material, in accordance with the above specifications for the sum of:  
 Seven Thousand Eight Hundred Thirty-one Dollars TOTAL: \$7,831.20

Payment to be made as follows:

AUTHORIZED:

Signature: \_\_\_\_\_  
 Print: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

Brian Henry (President)  
 Date: \_\_\_\_\_







F2f

**FASTSIGNS - Apopka**  
 3030 E. Semoran Blvd. Ste. 236  
 Apopka, FL 32703  
 ph: 407-774-0003  
 fax: 407-774-9933  
 Email: 248@fastsigns.com

**Estimate 248 - 21938**

Estimate Date: 10/7/2011 11:44:45AM

Printed: 10/7/2011 11:53:23AM

Salesperson:248@fastsigns.com

Customer: **MTN Resources, LLC.** ph: (407) 616-6890  
 Contact: Marla Nance Customer: 13743  
 Description: New Sign at 308 N. Orange Ave, Sanblasted Cedar & Aluminum  
 Sales Person: Rod Quick  
 Clerk: Rod Quick email: marlanance@earthlink.net

Dear Marla:

Thank you for choosing FASTSIGNS-Apopka/Altamonte for your sign and graphic needs. The quotation we discussed is attached. Please let us know if you would like to proceed with this order.

Sincerely,

Rod Quick  
 President

	Product	Qty	Sides	H x W	Unit Cost	Totals
1	Post & Panel Signage Description: Custom fabricated aluminum frame, primed and painted two custom colors with 1.5" Sandblasted Cedar sign panels, approx. 60"x48". Single sided. Face panels to be three seperate panels as per sample drawings. Color: TBD on TBD Text: TBD	* 1	1	98 x 72	\$2,900.00	\$2,900.00
2	PERMITS Description: Pull & File Permits required by City and/or County Includes elevation drawings, engineer drawings and time/labor to secure permit. Actual fees from City or County will be applied to final invoice.	1	1	1 x 1	\$475.00	\$475.00
3	INSTALL Description: Installation of sign as per engineer drawings. Concrete footing	* 1	1	0 x 0	\$450.00	\$450.00

**Notes:**

- Signage to remain the property of Fastsigns until order is paid in full.
- Buyer agrees to pay all cost in the event of a default in payment, including all attorney fees.
- Buyer hereby grants Fastsigns, the right of entry into and on the property of the buyer for the purposes of taking repossession of the sign in the event of default.

Line Item Total:	\$3,825.00
Subtotal:	\$3,825.00
Taxes:	\$267.75
Total:	\$4,092.75

Bill To: MTN Resources, LLC.  
 Marla Nance  
 204 North Sweetwater Cove Blvd  
 Longwood, FL 32779

50% Deposit & Balance Upon Completion is Required on All Orders.

Received/Accepted By: \_\_\_\_\_ / /



2225 Guava Drive PO Box 519
Edgewater, FL 32141 Edgewater, FL 32132
Phone: (386) 426-2373 Fax: (386) 426-2789

A Sign of Quality

Name: MTN Resources Date: 10/14/11
Address: 203 Canal Street Contact Name: Kate Rosenberg
City: New Smyrna Beach Job Location: 308 North Orange Avenue
State/Zip: FL 32168
Phone: 386-402-8586 Email: katerosenberg@mtnancecpa.com

We hereby submit specifications and estimates for:

Fabricate and install one new double-faced aluminum ground sign as per provided \$ 2,285.00
specs for CONCEPT C. Sign will have an overall height of 98" with a 48" x 48" area for copy.
All posts, decorative accents and sign cabinet will be welded aluminum construction with
automotive grade paint in customer specified colors. Sign cabinet will be 4" deep and will have
high performance vinyl and digitally printed graphics as per customer approved art.

Fabricate and install one new double-faced sandblasted ground sign as per provided \$ 2,742.00
specs for CONCEPT C. Sign will have an overall height of 98" with a 48" x 48" area for copy.
All post and decorative accents will be welded aluminum construction with automotive grade
paint in customer specified colors. Copy area will be 2" deep high-density urethane sandblasted
sign with industrial grade oil based paint to customer specified colors.

Fabricate and install one new double-faced aluminum ground sign as per provided \$ 950.00
specs for CONCEPT A. Sign will have an overall height of 103" with a 48" x 24" area for copy.
All post, decorative accents and sign cabinet will be welded aluminum construction with
automotive grade paint in customer specified colors. Signs for tenant will be 1/8" flat aluminum
panels and will have high performance vinyl and digitally printed graphics as per customer
approved art.

All sign estimates above can be fabricated with pressure treated wooden posts as a less expensive
alternative. All sign estimates above can be manufactured using individual free hanging riders for
companies, as in CONCEPT A.

We hereby propose to furnish labor and materials, in accordance with the above specifications, for the sum of:
Dollars \$

(Sales tax, permitting and engineering are not included in estimate)

Payment made as follows:

50% deposit

Balance due upon installation

(Completion date of 2 to 3 weeks from deposit date unless otherwise stated in contract)

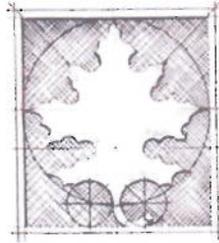
All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be
excused upon written orders only and will become an extra charge over and above estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Any underground obstructions will be
removed on a time plus material basis. Contract prices are good for 90 days. Any contract that remains open for 12 months or more may be subject to storage fees and interest or loss of deposit. Final payment is due
at time of install. No payment within 30 days after install will result in Contractor's Lien. Final electrical connection will only be made to a dedicated sign circuit within five foot of sign per State Code. Art charges
will apply after the second revision. By signing this document, customer agrees that all materials remain the property of B & C Signs, Inc. until final payment is received. In default of any payment by customer, B &
C Signs, Inc may take possession of goods without legal process.

B & C Signs Authorized Signature

ACCEPTANCE

The above prices, specifications, and conditions are hereby accepted. B & C Signs is authorized to do the work as specified. Payment will be made as written
above.

Date: Signature:



DIX LATHROP  
AND ASSOCIATES, INC.

August 4, 2011

Marla Nance  
MTN Resources  
203 Canal Street  
New Smyrna Beach, FL 32189

**Re: Landscape Design**

Dear Marla;

Thank you for the opportunity to submit this proposal for your consideration to provide landscape design services for the CRA submittal for your office. We propose the following:

**Landscape & Irrigation Plan**

- A. Visit the site to inventory existing conditions and to meet with you to establish budget and design program. Perform due diligence review to assess what is required for the CRA submittal process (complete).
- B. Prepare schematic conceptual site plan and landscape plans. Attend a meeting with you and the City to review and receive input.
- C. Prepare a final landscape construction plan, including plant list and quantities; a grading plan will also be provided for city submittal if required.
- D. Prepare an irrigation plan.

**We propose to perform these services on a Time Charge Basis with an estimate of \$5,900.**

**Signage**

- A. Prepare a sign sketch/graphic design in keeping with the existing architecture showing the integration of your three businesses into one sign.
- B. Provide signage details for engineering and permitting.

**We propose to perform these services on a Time Charge Basis with an estimate of \$800.**

Letter to Marla Nance  
August 4, 2011  
Page 2

The above fees do not include expenses. Reimbursable expenses such as travel, printing, and photography will be billed in addition at cost plus an administrative fee of 10%. Sub-consultant services (other than irrigation design services) such as structural engineer, etc. are not included in the above fees and will be billed to Client as a direct expense at cost plus an administrative fee of 10%, if their services are required.

The above time-charge fees are estimates only. These time-charge services shall be billed on an hourly basis at the following rates\*:

Principal 1.....Jeffrey Dix.....	\$ 140.00/hr.
Principal 2.....Christina Lathrop.....	\$ 140.00/hr.
Senior Landscape Architect.....	\$ 115.00/hr.
Project Manager.....	\$ 95.00/hr.
Landscape Architect.....	\$ 95.00/hr.
Color Designer.....	\$ 85.00/hr.
Designer II.....	\$ 85.00/hr.
Designer I.....	\$ 70.00/hr.
Senior Administration/Accounts.....	\$ 70.00/hr.
Administrative Assistant.....	\$ 60.00/hr.
Technician.....	\$ 55.00/hr.

\* Rates are subject to change.

We look forward to the opportunity to work with you on this project. If you are in agreement with this proposal and the Terms and Conditions on Attachment A, please print and sign two copies, retain one for your files, and forward the other to our office. If you have any questions or comments, please do not hesitate to call.

Sincerely,  
Dix.Lathrop & Associates, Inc.



Christina Lathrop  
President

Attachments

Approved by:

Signature: Marla T Nance Date: 8/28/11  
MTN Resources

Printed Name & Title: Marla T Nance

## ATTACHMENT A - TERMS & CONDITIONS

The terms and conditions contained herein are attached and incorporated into the Agreement for Professional Services ("Agreement") between MTN Resources (Client) and Dix.Lathrop & Associates, Inc. (Dix.Lathrop).

1. **Payment Provisions:** Payment of Dix.Lathrop's invoices is due within thirty (30) days of receipt of invoice. Balances unpaid after sixty (60) days shall be charged interest at the rate of 1.5% per month until paid in full. If Client objects to any portion of an invoice, Client shall notify Dix.Lathrop in writing by certified U.S. Mail, return receipt requested, within 15 calendar days of the invoice date, or any objection shall be deemed waived and the invoice shall be payable in full.
2. **Changed Conditions:** Dix.Lathrop reserves the right to renegotiate the fee if the work exceeds the scope of services defined in the Agreement.
3. **Client's Responsibilities:** Client agrees to provide Dix.Lathrop with all information, surveys, reports, and professional recommendations and any other related items requested by Dix.Lathrop in order to provide its professional services. Dix.Lathrop may rely on the accuracy and completeness of these items. Client shall furnish the services of the following consultants: civil engineering; geotechnical engineers; surveyors; structural engineers (as necessary); architectural, and environmental engineering. Client agrees to advise Dix.Lathrop of any known or suspected contaminants at the Project (as such term is defined in the Agreement). Client shall be solely responsible for all surface and subsurface soil conditions. Client will obtain and pay for all necessary permits from authorities with jurisdiction over the Project. Client agrees to provide the items described in this paragraph and to render decisions in a timely manner so as not to delay the orderly and sequential progress of Dix.Lathrop's services.
4. **Use and Ownership of Dix.Lathrop's Documents:** Upon the parties signing this Agreement, Dix.Lathrop grants Client a nonexclusive license to use the drawings, specifications, renderings, conceptual plans, blueprints and other documents prepared by Dix.Lathrop for Client ("Documents"), provided that Client performs in accordance with the terms of this Agreement. No other license is implied or granted under this Agreement. All instruments of professional service prepared by Dix.Lathrop, including the Documents, are the property of, and shall remain the exclusive property of, Dix.Lathrop. Originals shall remain with Dix.Lathrop with Client retaining a duplicate set. Client has the right to reproduce drawings or reasonable facsimiles, artist renditions or the like of said documents for marketing purposes. These documents shall not be reused on other projects by Client or sold or assigned to third parties without Dix.Lathrop's prior written permission, which may be withheld in its sole discretion. Dix.Lathrop retains all rights, including copyrights, in such documents, drawings and concepts.
5. **Site Observation:** The Client recognizes that site observation/review is a vital element of Dix.Lathrop's service, and includes design and drawing modifications based on changing site conditions during construction. Should the Client, for any reason, including non-payment, not retain Dix.Lathrop to review the site, or should the Client restrict Dix.Lathrop from reviewing the site during the period of construction, the Client waives any claim or liability for injury or loss arising from problems during construction that allegedly result from findings, conclusions, recommendations, plans or specifications developed by Dix.Lathrop. The Client also agrees to compensate Dix.Lathrop for time and expenses incurred in the defense of any such claim. The site visits performed by Dix.Lathrop in no way constitute a guarantee that construction deficiencies may not exist or occur.
6. **Termination:** Either Client or Dix.Lathrop may terminate this Agreement upon seven (7) days' written notice to the other party. If terminated, Client agrees to pay Dix.Lathrop for all Basic and Additional Services rendered and Reimbursable and Direct Expenses (as such terms are defined in Attachments B and C to this Agreement) incurred up to the date of termination. Upon not less than seven (7) days' written notice, Dix.Lathrop may suspend the performance of its services if Client fails to pay Dix.Lathrop in full for services rendered or expenses incurred. Dix.Lathrop shall have no liability because of such suspension of services or termination due to Client's nonpayment.
7. **Miscellaneous Provisions:**
  - (a) This Agreement is governed by the laws of the State of Florida without regard to the principles of conflicts of laws. Any cause of action under this Agreement shall be adjudicated in the appropriate court located in the County and State where the Project is located.
  - (b) This Agreement is the entire and integrated agreement between Client and Dix.Lathrop and supersedes all prior negotiations, statements or agreements, either written or oral. The parties may amend this Agreement only by a written instrument signed by both parties.
  - (c) In the event that any term or provision of this Agreement is found to be unenforceable or invalid for any reason, the remainder of this Agreement shall continue in full force and effect, and any unenforceable or invalid term or provision shall be amended to the minimum extent required to make such term or provision enforceable and valid.
  - (d) Neither Client nor Dix.Lathrop shall assign this Agreement without the prior written consent of the other.
  - (e) Irrespective of any other term in this Agreement, Dix.Lathrop shall not control or be responsible for construction means, methods, techniques, schedules, sequences or procedures for the Project; or for construction safety or any other related programs; or for another parties' errors or omissions or for another parties' failure to complete their work or services in accordance with Dix.Lathrop's Documents.
  - (f) Client agrees to indemnify, defend and hold Dix.Lathrop harmless from and against any and all claims, liabilities, suits, demands, losses, costs and expenses, including, but not limited to, reasonable attorneys' fees and all legal expenses and fees incurred through appeal, and all interest thereon, accruing or resulting to any and all persons, firms or any other legal entities on account of any damages or losses to property or persons, including injuries or death, or economic losses, arising out of the Project and/or this Agreement, except that Dix.Lathrop shall not be entitled to be indemnified to the extent such damages or losses are found by a court or forum of competent jurisdiction to be caused by Dix.Lathrop's negligent or willful errors or omissions. The provisions of this paragraph shall survive the expiration/termination of this Agreement.
  - (g) Should any legal proceeding be commenced between the parties to this Agreement seeking to enforce any of its provisions, including, but not limited to, fee provisions, the prevailing party in such proceeding shall be entitled, in addition to such other relief as may be granted, to all costs and attorneys' and expert witnesses' fees, which shall be determined by the court or forum in such a proceeding or in a separate action brought for that purpose. For purposes of this provision, "prevailing party" shall include a party that dismisses an action for recovery hereunder in exchange for payment of the sum allegedly due, performance of covenants allegedly breached, or consideration substantially equal to the relief sought in the action or proceeding.
  - (h) Client and Dix.Lathrop waive consequential damages for any claims, disputes or other matters in question arising out of or relating to this Agreement. Dix.Lathrop's waiver of consequential damages is contingent upon the Client requiring contractor and its subcontractors to waive all consequential damages against Dix.Lathrop for claims, disputes or other matters in question arising out of or relating to the Project.
  - (i) To the extent damages are covered by property insurance during construction, Client and Dix.Lathrop waive all rights against each other and against the contractors, consultants, agents and employees of the other for such damages. Client or Dix.Lathrop, as appropriate, shall require of the contractors, consultants, agents (and their employees) similar waivers in favor of the other parties described in this paragraph.
  - (j) Client acknowledges and agrees that proper Project maintenance is required after the Project is complete. A lack of or improper maintenance in areas may result in damage to property or persons. Client further acknowledges and agrees that, as between the parties to this Agreement, Client is solely responsible for the results of any lack of or improper maintenance.
  - (k) Nothing in this Agreement shall create a contractual relationship for the benefit of any third party.
  - (l) It is the express intention of the parties that Dix.Lathrop is an independent contractor and not an employee, agent, joint venturer or partner of Client. Nothing in this Agreement shall be interpreted or construed as creating or establishing the relationship of employer and employee between Client and Dix.Lathrop or any employee or agent of Dix.Lathrop. Both parties acknowledge that Dix.Lathrop is not an employee for state or federal tax purposes.
  - (m) It is the intention of the parties hereto that no person or entity other than a party hereto shall be entitled to bring any action to enforce any provision of this Agreement against the other party hereto, and that the covenants, undertakings, and agreements set forth in this Agreement shall, unless provided otherwise, be solely for the benefit of, and shall be enforceable only by the parties hereto and their respective successors and permitted assigns.

## Platinum Building & Remodeling, Inc.

208 S Venetian Way, Port Orange, FL 32127

(386) 547-1941 office

(386) 845-0202 fax

[platinumbuilders@cfl.rr.com](mailto:platinumbuilders@cfl.rr.com)

[www.platinumbuilders-remodeling.com](http://www.platinumbuilders-remodeling.com)

### PROPOSAL

October 11, 2010

Prepared for: MTN Resources  
Proposed Site: 308 Orange Avenue, New Smyrna Beach, FL 32168

We are pleased to hereby submit to supply Labor, Materials, Services, Equipment and Supervision to perform as described in the following scope of work for the project known as "MTN Resources".

#### Existing Building Exterior Renovations per the following specs & plans dated 09-27-11:

- All permitting included.
- Window framing and installation of Andersen Double Pane Low E Impact Resistance windows with screens, per plan.
- Two existing windows on north elevation to remain. (Will need paneled type storm protection, per code.)
- Framing and installation of two rear 36" wood doors with impact resistant full glass, stainless steel hinges, deadbolt and entry handles.
- Framing and installation of new front double entrance wood doors with full impact resistant glass including hardware, per plan. (Entrance door allowance \$4,000.)
- Installation of 5/16" x 7 1/4" Hardieplank siding over 1/2" OSB plywood on original lap siding with Tyvek moisture barrier, per plan.
- All Hardie trim for corners and windows, per plan.
- Installation and fixtures for two double flood lights at rear of building on timers and photocells.
- Additional switching to exterior lights at door locations, total of six. (Allowance \$500.00 each.)
- Installation of Hardie 2" on center beaded Cedarmill soffit installed on bottom side of existing roof to expose original rafters.
- Damaged original rafters to be repaired or replaced to match original design.
- Newer section of building will be 2" beaded Cedarmill soffit with non structural rafters added to resemble original structural soffit appearance.
- Paint, caulk and seal all new Hardie siding, trim and soffit, color choice per owner.
- Install new pressure treated railing per plan.
- Paint and seal all new railing, per plan, color choice per owner.

**Platinum Building & Remodeling, Inc.**

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[www.platinumbuilders-remodeling.com](http://www.platinumbuilders-remodeling.com)

**PROPOSAL**

November 9, 2011

Prepared for: MTN Resources  
Proposed Site: 308 Orange Avenue, New Smyrna Beach, FL 32168

We are pleased to hereby submit to supply Labor, Materials, Services, Equipment and Supervision to perform as described in the following scope of work for the project known as "MTN Resources".

**Roof Proposal and Options:**

**Standing Seam Metal Re-roof**

Tear off old roof and remove from premises. Replace with a new Englert Series 1100 .032 gauge aluminum snap lock roof panel.

After old roof is removed we will re-nail sheeting 6" on center using #8 ring shank nails to existing rafters.

After sheeting is re-nailed we will install 1 layer ice and water underlayment direct to roof deck in lieu of 30# felt. Ice and water directly to sheeting serves as a secondary water barrier as requested by most insurance carriers.

Roof panels have a 16" on center 1 1/4 "high standing seam. Roof system will consist of new .032 gauge aluminum drip edge, wall flashings, valley metal and hip/ridge caps.

The metal roof system comes with a manufacturer's warranty with no visible fasteners. ALUMINUM METALS MUST BE USED WITH-IN 1/2 MILE OF SEA COAST FOR MANUFACTURERS GUARANTEE.

**Note: Any rotten wood to be replaced at additional cost of labor and material only. All roofs come with 5 year workmanship warranty and manufacturers stated warranties.**

**Total Cost:**  
Standing Seam Roof, per above **\$33,700.00**

**Additional options per above specifications:**

**Total Cost:**  
1. Atlas Shingle Metal Roof **\$36,000.00**  
2. Monierlife Tile Roof **\$31,500.00**

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**Paul G Rechichar**  
**CGC1518430**

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**Marla T Nance**  
**MTN Resources**

F2j

# Estimate

RICK A. ECKERT, LLC  
2921 ORANGE TREE DRIVE  
EDGEWATER, FL 32141  
CB C024101

DATE ESTIMATE NO.  
10/5/2011 138

NAME / ADDRESS

MTN Resources  
308 Orange Tree Ave.  
New Smyrna Beach, FL  
32168

PROJECT

ITEM	DESCRIPTION	QTY	TOTAL
01.2 Building Permits	Building Permits .This permit is for exterior siding ,windows, doors, Electrical and roofing	1	1,850.00 (A)
11 Siding	Siding, Trim ,Soffit and Faesia, Tyvek house Warp, Hardie Plank 12' X 7 1/4 " 6 inch exposed , smooth or cedar grain, Hardie 5/4" X 4" trim, 3/4" 1 X 4 Bead board Clear PineTongue and Groove, 1 X 6 Fascia board, and labor for cutting out new openings for windows. NOTE ANY LEAD PAINT TESTING OR WORK WITH LEAD DUST REMOVING IS COST PLUS TO BE PAID MY THE OWNER AS PER SPEC OF NEW FEDERAL OR STATE LAWS PERTAINING TO LEAD REMOVAL.	1	36,913.89 (A)
24 Paint	Painting, Labor and materials for exterior		8,450.00 (A)
09 Roof Flashing	Roofing . As per to print metal all labor and material		37,050.00 (B)
13 Windows & Trim	Windows & Trim, Anderson Windows ,Insulated , impact Resistant Gary Monolithic		30,602.17 (A)
10 Exterior Trim & De...	Exterior Trim & Decks, Stair and hand rail work Materials and labor		24,687.00
12 Doors & Trim	Doors & Trim, Entry doors and side lites		9,266.05 (A)
16 Electrical & Lighting	Electrical . Moving panel ,new panels and labor		2,600.00
Equipment Rental	Equipment Rental for your job, Lift		6,000.00

NOTE: THIS IS A BID FOR EXTERIOR WORK AND NO INTERIOR WORK, ANY INTERIOR WORK FOR WINDOW ,DOORS, FINISH WORK, TRIM WORK OR WORK ON FINISH ELECTRICAL IS NOT INCLUDED. AGAIN NOT NO PRICE FOR LEAD PAINT REMOVAL OF DUST AT WINDOW AND DOOR OPENINGS WHILE INSTALLING. THIS AT COST PLUS TO OWNER .

87,082.11 (front)  
4,900.00 (back)

$\Sigma (A) = \$91,982.11$

Roof + (B) 37,050.00

128,200.00

TOTAL \$157,419.11

F2j

RICK A. ECKERT, LLC  
2921 ORANGE TREE DRIVE  
EDGEWATER, FL 32141  
CB C024101

# Estimate

DATE      ESTIMATE NO.  
10/12/2011      142

NAME / ADDRESS

MTN Resources  
308 Orange Tree Ave.  
New Smyrna Beach, FL  
32168

PROJECT

ITEM	DESCRIPTION	QTY	TOTAL
16 Electrical & Lighting	Electrical & Lighting, This is for the extra lighting requested by owner, and wiring.		4,900.00 <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">A</span>

**TOTAL**      \$4,900.00



F2k

Misiano Construction & Remodeling, Inc. 2908 Nordman Ave. New Smyrna Beach, FL 32168

Phone: (386) 785-3204 Fax: (386) 663-7119 Email: [tony@tonymisiano.com](mailto:tony@tonymisiano.com) Website: <http://www.tonymisiano.com>  
November 6, 2011

Attn: Kate Rosenberg  
MTN Resources  
308 Orange Avenue  
New Smyrna Beach, FL 32168

To whom it may concern:

We would like to offer the following services at the jobsite address of 308 Orange Avenue, New Smyrna Beach, FL 32168:

1. Apply for Building Permit (fees included)
2. Supply Dumpster on jobsite
3. Install underlayment, furring strips and Hardyboard siding/trim as per plans and specs provided by Gerard J Pendergast
4. Provide and install 2 exterior doors.
5. Provide and install 110lf of railing as per plans, with caps and posts
6. Paint exterior walls and trim
7. Provide and install beadboard in soffits as per plans
8. Provide and install all new Anderson double paned windows as per plan
9. Provide and install all new bucking and trim as per plan
10. Install Electrical Security lights as per plan
11. Provide and install 4 custom light fixtures as per plan.
12. Re-roof, including tear off, re nail, repari, flashings, rubber underlayment and galvalume standing seam 26 gauge metal roof system.

Option 1: Anderson Windows - **\$91,150.00**

Parts: \$45,581.00  
 Labor: \$16,410.00  
 Permitting: \$1000.00  
 Tax: \$2962.00  
 Galvalume roof: \$25,200.00

*← not recommended as eligible item*

Option 2: PGT Windows - **\$78,632.00**

Parts: \$33,824.00  
 Labor: \$16,410.00  
 Permitting: \$1000.00  
 Tax: \$2198.00  
 Galvalume roof: \$25,200.00

- Extra A. Panic Bar Sing & Door: \$485.00
- Extra B. Panic Double Door: \$975.00
- Extra C. Double Door upgrade: \$485.00
- Extra D. Remove/Rebuild Electric 200 amp 3 phase service/ with underground service: \$3800.00
- Extra E. Install new 2"x6" fascia board where 1"x6" exists currently: \$480.00
- Optional (replace #12) standard color embossed 29 gauge Advanta metal shingle by ATAS: + \$4800.00

To accept the offer, both parties sign and 20% Deposit upon signing. All draws done based on Percent Completion method. Paid within 5 business days.

Both parties expected to acknowledge Florida Lien Laws in writing prior to beginning.

Owner/Representative: \_\_\_\_\_  
Contractor: \_\_\_\_\_



## LETTER OF AGREEMENT TO PROVIDE ARCHITECTURAL SERVICES

This Agreement, entered into September 6, 2011 by and between:

Maria T. Nance  
MTN Resources, LLC  
203 Canal Street  
New Smyrna Beach, Florida 32168

Hereinafter referred to as Client, and Gerard J. Pendergast, Architect, PLC, hereinafter referred to as Architect, The Client does hereby employ the Architect to provide Architectural Services for:

308 N. Orange Avenue  
New Smyrna Beach, Florida 32168

The Architect agrees to provide the Client professional services as follows:

Prepare Construction Documents for Bidding and Permitting, based upon the approved schematic drawings. Construction Administration will be provided. Contractor to provide signed/sealed engineered truss drawings and HVAC energy calculations.

### Scope of Work for Construction Documents

- New Interior Office Plan (provided by owner including finishes)
- Repair Building Exterior
- Repair Structural Components
- New Roof Plan
- New or Expanded electrical service.
- New or Expanded HVAC (air conditioning)
- New or Expanded Plumbing
- Site Plan to be prepared by Landscape Architect

### 1. General

- Review documentation provided by others
- Review existing site and building conditions
- Prepare progress documents for design review and coordination
- Incorporate review comments into final documents
- Interior and Exterior photographs

## 2. Scope of Construction Documents

Construction Documents shall include drawings of the building and site.

- First Floor Architectural Plan (including window schedule)
- Exterior Elevations (4)
- Structural Plan (as required)
- Details, Notes, Building Section, Specifications (as-required)
- Mechanical HVAC locations of equipment and supply/return grills.
- Electrical locations of outlets and panels
- Plumbing locations of fixtures and hose bibs.
- Site plan locating area of work.(Landscape Architect to provide site plan)
- List of Building Materials

## 3. Exclusions

- Fire Sprinkler System
- Landscape Plan & Equipment (sprinklers etc.)
- Interior decoration

The compensation to the Architect for the above services shall be Seven Thousand Six Hundred Fifty Dollars and no cents. to be drawn as shown in the attached "Schedule of Compensation" at the hourly rates shown on the attached "Schedule of Fees".

The Client and the Architect agree to the fees, conditions and terms as set forth in the attached "Schedule of Fees, Conditions and Terms". This Agreement, with the "Schedule of Fees, Conditions and Terms", represents the entire and integrated agreement between the Client and the Architect, thus superseding all prior negotiations, representations and agreements.

This agreement is subject to renegotiation if acceptance is not within thirty (30) days from the day and year first written above. We will devote our best efforts to carry out the required work. The results obtained from our recommendations, and documents will be in our judgment based upon the information available to us. In any event, our liability shall not be greater than the amount paid to us for services rendered.

Client:  
Signature:

Marla J. Vance

Architect:  
Signature:

**Gerard J. Pendergast**

Date:

9/14/11

Date:

September 14, 2011

## SCHEDULE OF FEES, CONDITIONS AND TERMS

Services shall be billed as follows:

Commencement of Work	\$ 3,425.00	September 19, 2011
Construction Documents CRA	\$ 1,712.50	September 21, 2011
Construction Documents 100%	\$ 1,712.50	September 29, 2011
Bidding & Permitting	\$ 400.00	September 30, 2011
Construction Administration	\$ 400.00	Oct. - Dec. 2011

Dates are estimates; schedule may be adjusted by the approval process.

Any Change Orders after submission of construction documents for the building permit will be billed hourly.

Principal Architect	\$ 180.00 per hour
Sr. Technician	\$ 140.00 per hour
Jr. Technician	\$ 60.00 per hour

## REIMBURSABLE EXPENSES

The client shall reimburse the Architect for the following expenditures made in the interest of the project:

Reproductions and computer plotting costs for drawings, specifications and reports.

Renderings, photographs, scale models and presentation materials, if required.

Postage and delivery charges

\*If additional services are required by a Civil Engineer or Surveyor, the client will be invoiced directly for those services.

## PAYMENTS

Initial payment of Three Thousand Four Hundred Twenty Five Dollars (\$ 3,425) is due and payable upon acceptance of the "Letter of Agreement to Provide Architectural Services".

We shall submit monthly invoices for the services rendered. Interim billings are due within ten (10) days of rendered date. Payments due the Architect and unpaid under this agreement shall be charged a 2% service fee per month. Moreover the Architect shall be entitled to recover all costs actually incurred in collecting overdue accounts, including reasonable legal fees.

Failure of the Client to make required payments shall be cause for suspension of service.

Client Initials \_\_\_\_\_

Architect Initials \_\_\_\_\_

**Marla T Nance**

---

**From:** Fegley, Kyle <kfegley@cityofnsb.com>  
**Sent:** Friday, September 30, 2011 5:58 PM  
**To:** Marla T Nance  
**Cc:** Chris Lathrop; Henrikson, Gail; Moore, Marissa  
**Subject:** RE: MTN Resources - 308 N Orange Ave, NSB - Landscape Design

Marla,

Based on my discussion with Gail the proposed improvements do not require a site plan review process, but rather will be incorporated into your building permit application, which should allow you to move forward quickly with the overall City approval process. The plans designed by Dix.Lathrop are landscape oriented, thereby leaving me with limited documentation to review. I do have some items that need to be addressed when submitting the building permit application. Please address or incorporate the following items;

- 1.Each driveway egress must have a stop sign designed in conformance with FDOT standard R1-1, 36". The stop sign must be located 4' in advance of sidewalks, and not be impeded by vegetation (trees).
- 2.There are no proposed grades, so you will need to show flow arrows or indicate the stormwater runoff (at least the first 1.5") will be distributed into the proposed landscape areas and not directly to the City right-of-way.
- 3.In your building permit submittal provide some additional input for the construction standards used to improve the proposed parking area. For instance it should be stabilized with a minimum of 6" shellrock compacted to 98% proctor value, and paver bricks will be traffic bearing (H-20), minimum 2-3/8" thick with a 6" limerock/crushed concrete base, etc.
- 4.You may not trigger SJRWMD permit threshold, but you will need to inquire with them to confirm. I would suggest you obtain an exemption letter through W. Jeremy RiCharde at the District, who can be reached at (407) 659-4864.
- 5.Proper signage & striping for the ADA handicapped parking space must be installed.

Overall the plans appear to meet our design guidelines, but there will likely be additional input during the departmental reviews associated with the building permit process. If you have any questions regarding my comments, please give me a call and I will happy to provide the necessary guidance.

Thanks,

Kyle W. Fegley, P.E.  
City Engineer  
City of New Smyrna Beach, FL  
ph. (386) 424-2168  
fax (386) 424-2148  
[kfegley@cityofnsb.com](mailto:kfegley@cityofnsb.com)

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**From:** Marla T Nance [mailto:[marlanance@earthlink.net](mailto:marlanance@earthlink.net)]  
**Sent:** Thursday, September 29, 2011 6:48 PM  
**To:** Fegley, Kyle  
**Cc:** Marla Nance; 'Chris Lathrop'; Henrikson, Gail; Moore, Marissa  
**Subject:** MTN Resources - 308 N Orange Ave, NSB - Landscape Design

Hi Kyle,

My name is Marla Nance and I am the owner of MTN Resources and we closed on our new building yesterday at 308 N Orange Avenue, NSB (formerly M&T Printing). Myself and Chris Lathrop, our landscape architect with DixLathrop, met with Gail Henrikson on Tuesday, September 28, 2011, and left a copy of our concept layout.

I have attached an updated version of that layout to this email.

We have the following questions:

1. What is the site plan/ engineering submission process?
2. We do not believe a SJRWM permit is required, as we are not over the 4000 sf threshold of improved impervious surface area; please confirm our understanding.
3. Do you have any comments regarding the plan layout and the proposed improvements?

Your feedback is greatly appreciated.

Thanks,  
Marla

*Marla Nance*

**MTN Resources**

203 Canal Street  
New Smyrna Beach, FL 32189  
407-616-6890  
866-268-9253 Fax  
[mnance@mtnresources.com](mailto:mnance@mtnresources.com)

BENJAMIN MOORE®  
COLOR PREVIEW®

HC

HC-4

Building Exterior

hawthorne yellow

HC-5

weston flax

HC-6

windham cream

BENJAMIN MOORE®  
COLOR PREVIEW®

RM

lancaster white

Trim

navajo white

brilliant white

BENJAMIN MOORE®  
COLOR PREVIEW™

HC



HC-6

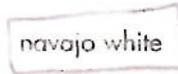
windham cream

BENJAMIN MOORE®  
COLOR PREVIEW™

RM

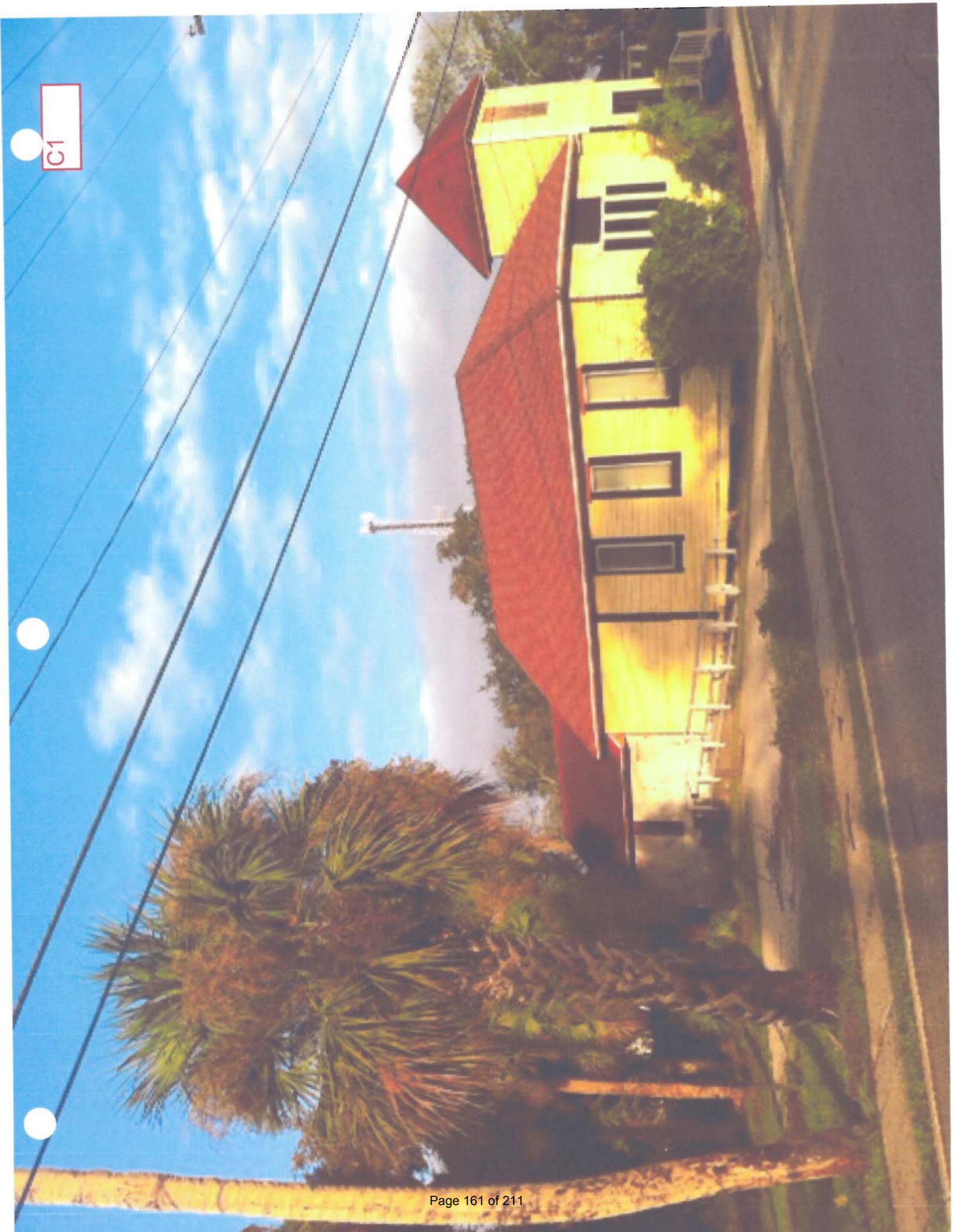


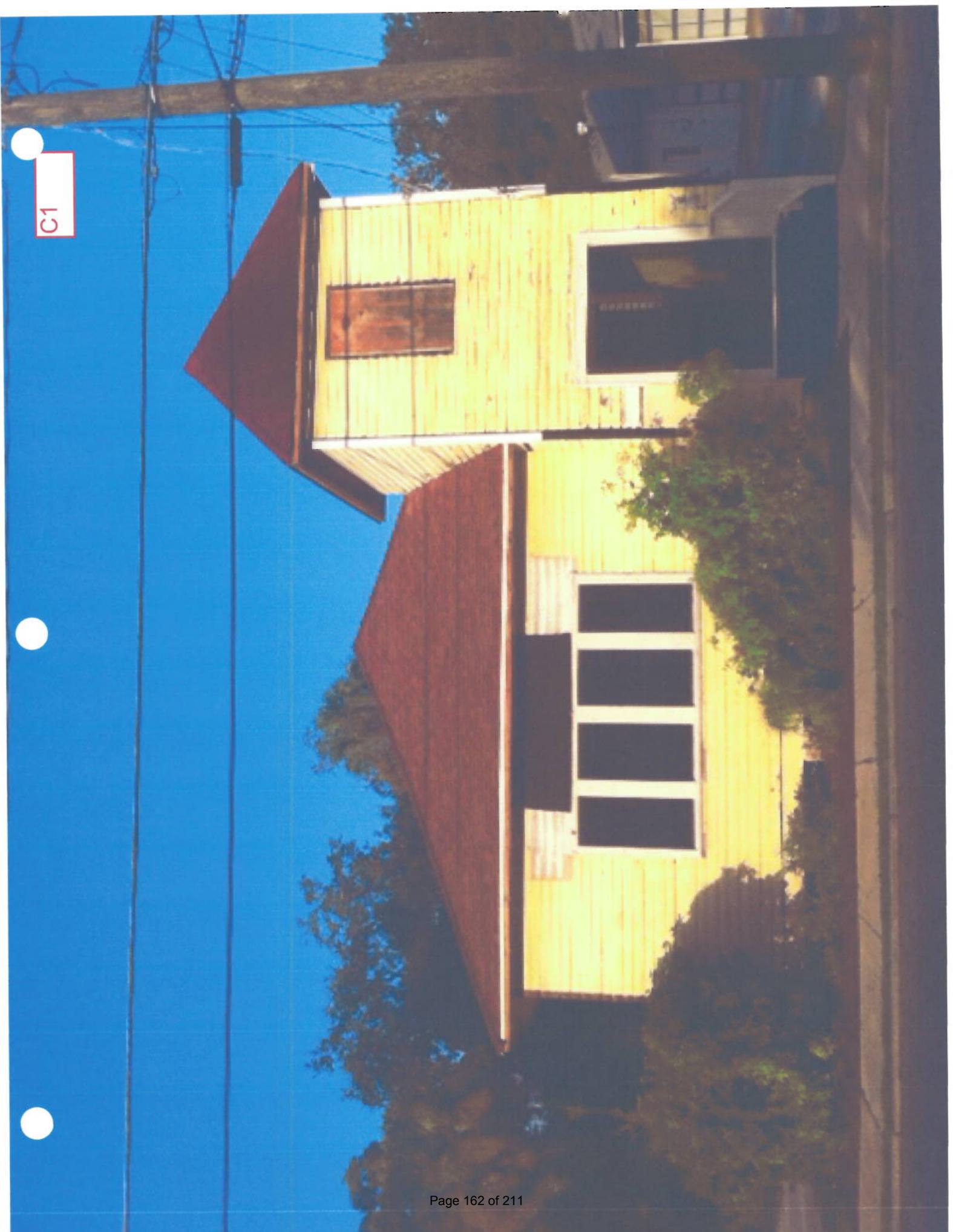
Trim



brilliant white

51





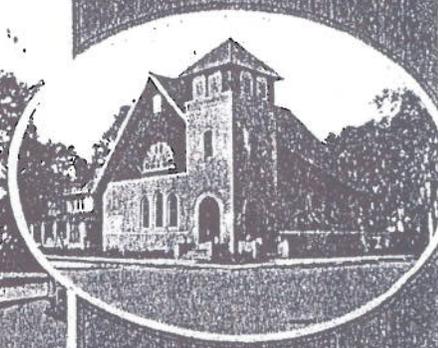
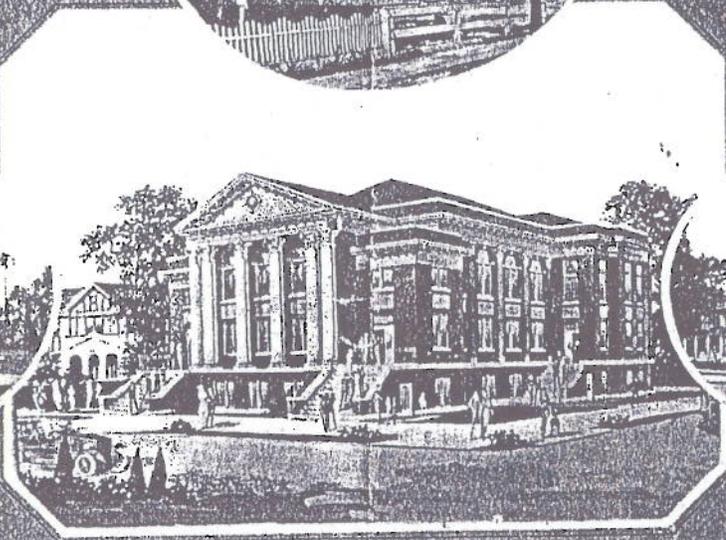
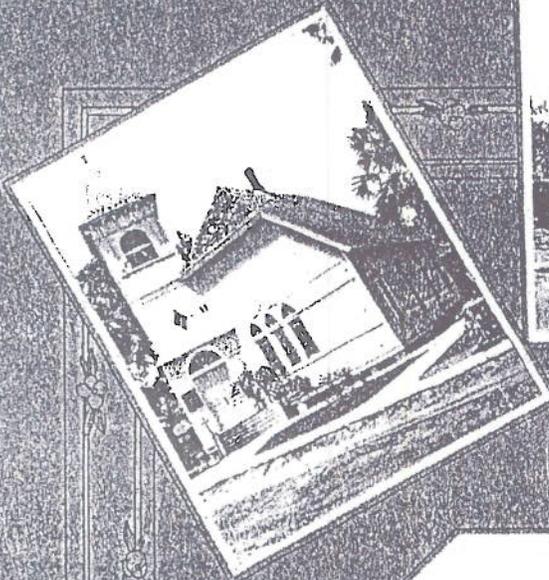
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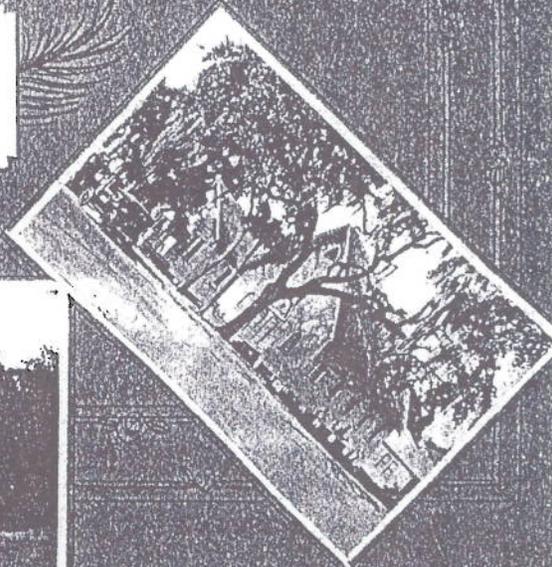
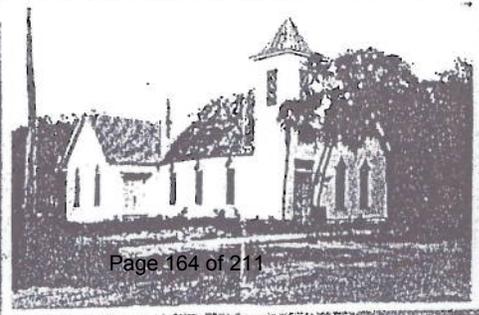
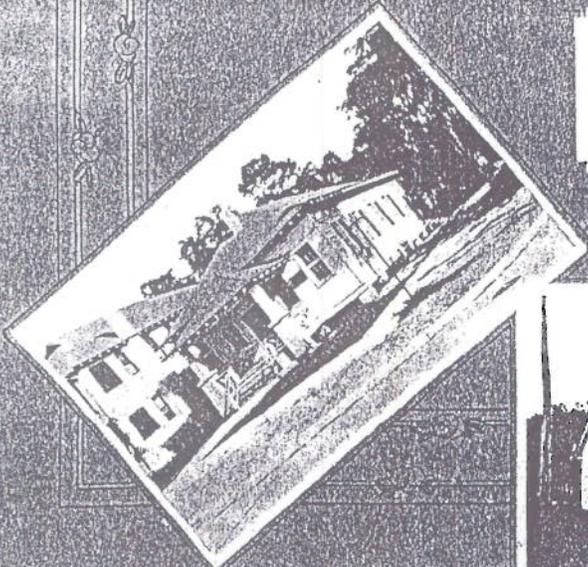


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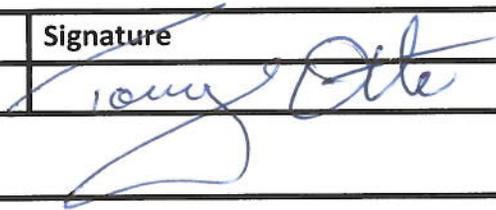
# NEW SMYRNA *Florida*



PROPOSED NEW  
BAPTIST CHURCH  
Other Churches of  
New Smyrna and  
Vicinity.



## CRA AGENDA ITEM SUMMARY

<b>Staff Member Making Request:</b> Claudia Soulie		
<b>Meeting Date:</b> December 7, 2011		
<b>Action Item Title:</b> Discussion of designation of 426 Canal Street as an Opportunity Site		
<b>Agenda Section:</b> Consent _____ Public Hearing _____ Special Items <u>  x  </u>		
<b>Summary Explanation and Background</b>		
<p>CRA Staff was approached by Mr. Richard Rosedale, who is proposing to construct a new building at the corner of Canal and S. Orange Streets. This lot used to house a building that had to be demolished due to damage suffered in a 2008 fire. This project would entail a two (2) story building and Mr. Rosedale envisions Retail, Restaurant or office on the first floor and office space on the second.</p> <p>The applicant is asking for a designation as an Opportunity Site program, as he feels that this corner is a prominent location on Canal Street and an important entrance to S. Orange Street with its recently completed Streetscape. Furthermore, Mr. Rosedale feels that the current vacant lot is very unsightly.</p> <p>Staff feels that the proposed project would fill an unsightly corner on Canal Street and would recommend the CRA consider Mr. Rosedale's request to have 426 Canal Street added to the list of Opportunity sites.</p> <p>The applicant or his representative will be present at the meeting.</p>		
<b>Recommended Action/Motion:</b>		
1. Add 426 Canal Street to the Opportunity Site list.		
<b>Funding Analysis:</b> Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:		
Funds are available from line item 120.51502.58303, Development Assistance and Incentives.		
<b>Exhibits Attached:</b>		
1. Documentation submitted by the applicant for review		
<b>Reviewed By:</b>	<b>Name</b>	<b>Signature</b>
CRA Director	Tony Otte	
<b>Commission Action</b>		

RICHARD S. ROSEDALE

---

116 Canal St.  
Suite E  
New Smyrna beach, Fl. 32168  
Phone 386-956-0668  
Drose7105@aol.com.

12/2/2011

**TO:** ALL C.R.A. BOARD MEMBERS

**FROM:** DICK ROSEDALE, PROPERTY OWNER

**RE:** OPPORTUNITY GRANT PROGRAM

**LOCATION:** 426 CANAL ST. (SOUTHWEST CORNER OF CANAL ST. AND ORANGE AVE.)

**HISTORY:** FOR OVER NINETY YEARS A TWO STORY BUILDING STOOD AT THIS LOCATION. PRIOR USES WERE McCRORYS 5& 10, DOLLAR STORE, CIRCA ANTIQUE MALL AND ROOM SERVICE FURNITURE STORE.

ON OCTOBER 1, 2008, THE BUILDING WAS DESTROYED BY FIRE. THE STRUCTURE WAS APPROXIMATELY 9000 SQ. FT. IN SIZE.

**IMPACT AND EXPOSURE:** THERE ARE THREE MAJOR INTERSECTIONS ON CANAL ST. US 1, ORANGE AVE., AND RIVERSIDE DRIVE. THE SUBJECT PROPERTY IS WELL KNOWN AND PROMINENT IN ITS EXPOSURE AT THE CORNER OF CANAL AND ORANGE.

IF I AM AWARDED AN OPPORTUNITY GRANT, WE WOULD CONSTRUCT A TWO STORY STRUCTURE CONSISTING OF APPROXIMATELY 5200 SQUARE FT. NEW BUILDING. **(SEE**

CONCEPTUAL RENDERING BY ANDERSON-DIXON). THE NEW BUILDING WOULD COVER 50% OF THE LOT AND BE APPROXIMATELY 52% SMALLER THAN THE PRIOR STRUCTURE.

I WOULD ENVISION RETAIL, RESTAURANT OR OFFICE ON THE FIRST FLOOR AND OFFICE SPACE ON THE SECOND.

CONSTRUCTION WOULD START AS SOON AS POSSIBLE. FINANCING THE PROJECT IS NOT AN ISSUE, BUT, WITHOUT THE PARTICIPATION OF THE CRA, WE WOULD NOT BE ABLE TO PROCEED WITH THIS IMPROVEMENT.

AS MULTIPLE PROPERTY OWNERS DOWNTOWN, WE FEEL A REPLACEMENT STRUCTURE ON THIS SITE WILL HAVE A POSITIVE IMPACT AS THE ECONOMY IMPROVES, BRINGING MORE TENANTS AND REASONS TO VISIT THE AREA.

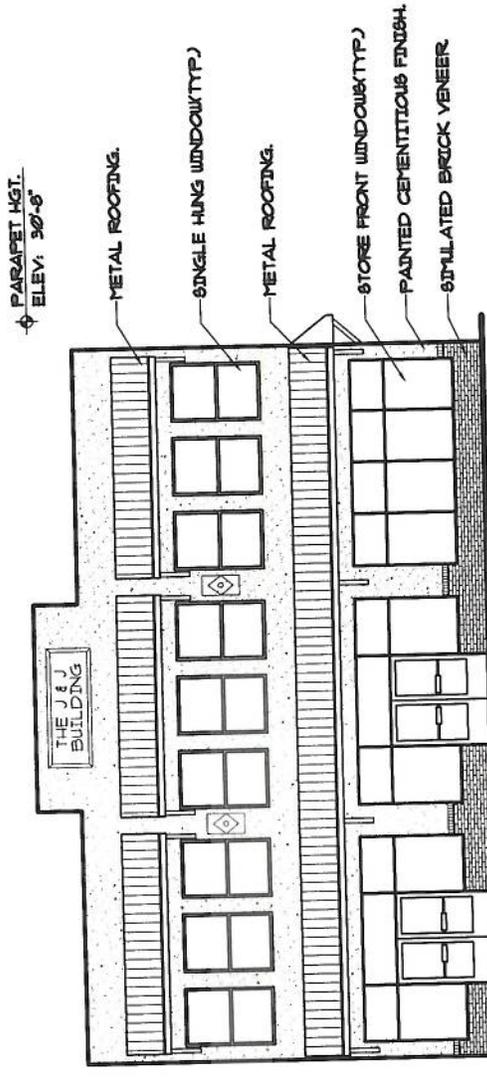
Sincerely,  
*Dick Rosedale*

*To be presented at meeting*

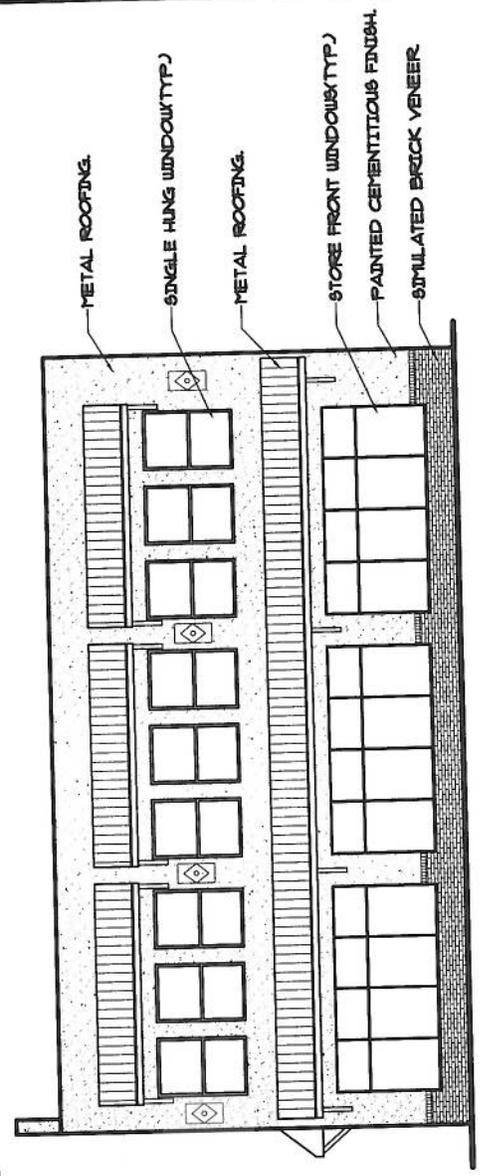
~~ENCLOSED: 18 8X11 PHOTOGRAPHS~~

DATE: 11-28-11  
 PROJECT NO. 0000  
 CHECKED BY: xx  
 DRAFTER: xxxx  
 REV: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 SHEET NO. 3

**Elevations For**  
**426 CANAL STREET**  
 New Smyrna Beach, FL.  
 RICHARD J. DIXON, P.E.  
 PROFESSIONAL ENGINEER  
 FL REG.# 47544  
 102 SOUTH ORANGE STREET  
 NEW SMYRNA BEACH, FL  
 (386) 428-5834  
 32166  
 ANDERSON - DIXON, LLC  
 ENGINEERING-PLANNING-DRAFTING  
 PHONE: (386) 428-5834 - FAX: (386) 409-3781



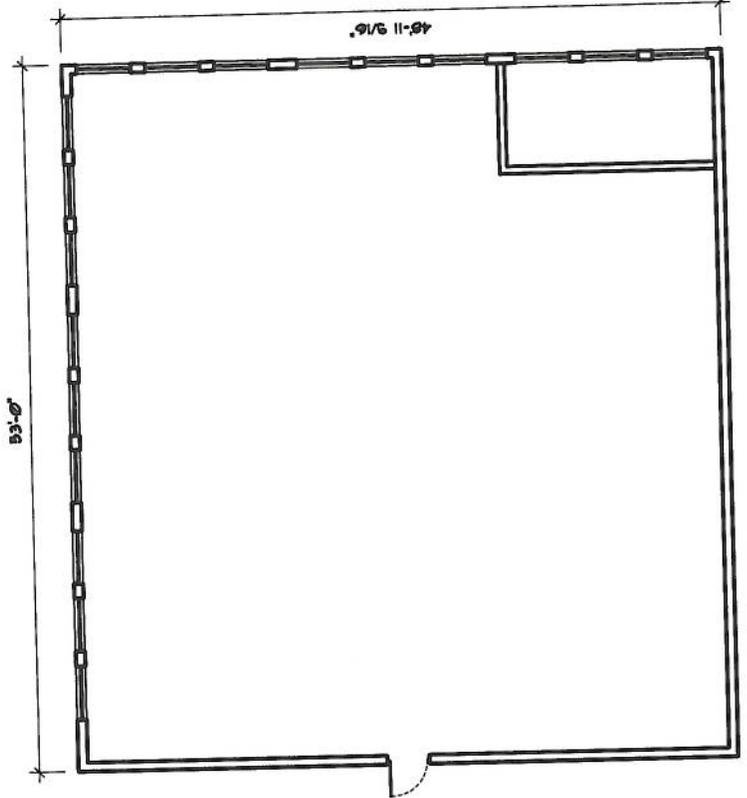
**FRONT ELEVATION (NORTH)**  
 SCALE: 1/8" = 1'-0"



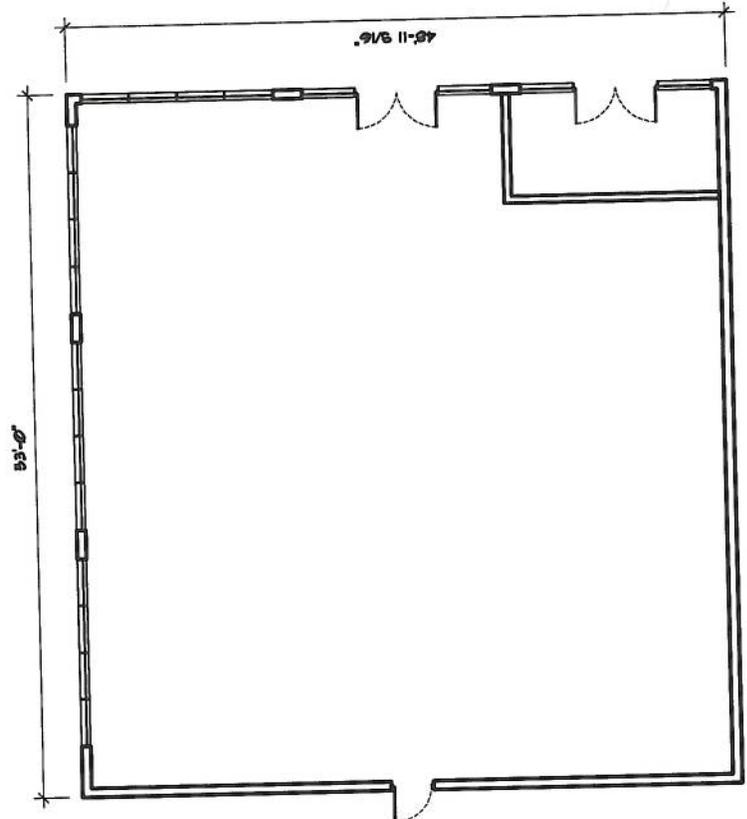
**RIGHT ELEVATION (WEST)**  
 SCALE: 1/8" = 1'-0"

DATE: 11-28-11 ANDERSON - DIXON, LLC ENGINEERING + PLANNING + DRAFTING PHONE: (386) 428-5834 - FAX: (386) 409-3781	RICHARD J. DIXON, P.E. PROFESSIONAL ENGINEER FL REG # 47544 102 SOUTH ORANGE STREET NEW SMYRNA BEACH, FL (386) 428-5834	Schematic Floor Plan For <b>426 CANAL STREET</b> New Smyrna Beach, FL.	
		PROJECT NO. 0000 CHECKED BY: xx DRAFTER: xxxx	SHEET NO. <b>2</b>

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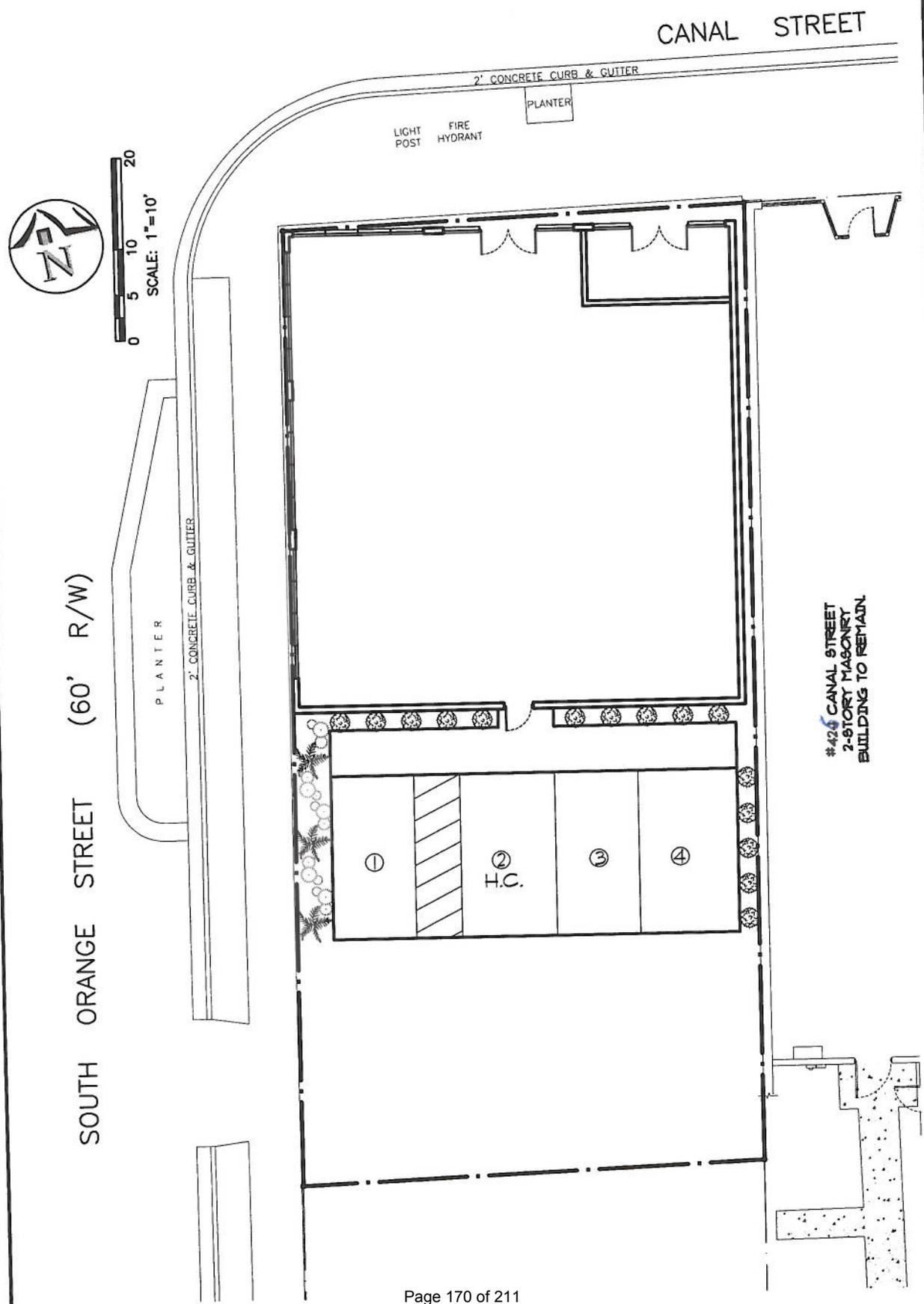
**PROPOSED 2nd FLOOR PLAN**  
 SCALE: N.T.S.



**PROPOSED 1st FLOOR PLAN**  
 SCALE: N.T.S.

DATE: 11-28-11	 ANDERSON-DIXON, LLC ENGINEERING-PLANNING-DRAFTING	PHONE: (386) 428-5834 - FAX: (386) 409-3781 (386) 428-5834 32168 NEW SMYRNA BEACH, FL 102 SOUTH ORANGE STREET FL REG # 47544 PROFESSIONAL ENGINEER RICHARD J. DIXON, P.E.	<b>Schematic Site Plan For</b> <b>426 CANAL STREET</b> New Smyrna Beach, FL		PROJECT NO. 0000
			CHECKED BY: xx	DRAFTER: xxxx	REV:

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## CRA AGENDA ITEM SUMMARY

**Staff Member Making Request** Tony Otte

**Meeting Date:** December 7, 2011

**Action Item Title:** Request for Opportunity Site Designation: 529 Washington St

**Agenda Section:** Consent \_\_\_\_\_ Public Hearing \_\_\_\_\_ Special Items   x  

### **Summary Explanation and Background**

The building at 529 Washington Street is located at the NW corner of Washington and Dimmick and presently houses a barbershop. In the past this was a mixed use building housing a number of businesses including the barbershop as well as a restaurant, dance hall, and beauty salon and residential dwelling unit. A picture of the building appears at the top of p. 47 in the CRA Master Plan Update, with a rendering of the building as a renovated structure. The text accompanying these pictures states, "*Washington Street Business District. Concepts include: purchase and renovation of historic commercial building to create business incubator; streetscape, sidewalks, and utility burial; infill residential and neighborhood commercial accomplished through assistance programs.*"

CRA staff and Attorney have been working with the family who owns the building for over a year. The family made a presentation to the CRA last year. The CRA staff was working on a concept of having the CRA pay for renovating the building (funding is budgeted in the current year budget for this purpose), and then lease the building back for the value of the improvements. The CRA hired an architect for this purpose.

The family has been working for months to clear the title to the property, which is the first step in the grant application. Recently the family notified CRA staff that their plans have changed and that they now wish to proceed on their own to develop a "Westside Cultural Arts and Business Cooperative Center, Inc" as described in the attached exhibit. The family wishes to apply for CRA funding under the Opportunity Site Grant Program for funds to renovate the building and then use it for the program as described, which includes spaces to be leased to small businesses and both visual artists and performing artists.

The Opportunity Site Grant Program requires that in order to apply for funding, sites be either listed on p. 45 of the CRA Master Plan Update under "Opportunity Sites", or be added to the list by the CRA and City Commission. The building at 529 Washington is not listed on p. 45 of the CRA Master Plan Update as an Opportunity Site; however, in addition to the pictures of the building on p. 47 as noted above, the plan includes a funding amount on p.67 for the creation of the "Washington Street Business District" which was intended to provide funding for the renovation of the building at 529 Washington.

Due to the prominence of the building in the Historic Westside, staff recommends that it be designated as an Opportunity Site.

If approved by the CRA, this request will be taken to the City Commission at the January 10, 2012 meeting.

### **Recommended Action/Motion:**

Approval

**Funding Analysis:** Budgeted \_\_\_x\_\_\_ If not budgeted, recommend funding account:  
Funding is not required at this time.

**Exhibits Attached:**

Letter from Julie L. Wood, Project Development Consultant, regarding Designation as an Opportunity Site.

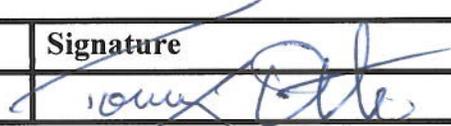
**Reviewed By:**

**Name**

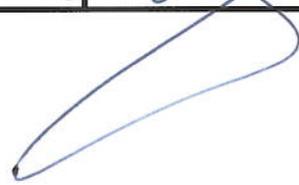
**Signature**

CRA Director

Tony Otte



**Commission Action**



## **Westside Cultural Arts and Business Cooperative Center, Inc.**

306 Dimmick Street  
New Smyrna Beach, FL 32168  
386-847-7340

---

November 24, 2011

City Of New Smyrna Beach  
Community Redevelopment Agency (CRA)  
Attn: Tony Otte  
210 Sams Avenue  
New Smyrna Beach, FL 32168

RE: DESIGNATION AS AN OPPORTUNITY SITE

Dear Mr. Otte:

This letter is to request an appearance before the CRA during the December 7, 2011 meeting to discuss the need to designate the Hill property located at 529-533 Washington Street/306 Dimmick Street as an "Opportunity Site" for the City Of New Smyrna Beach. We take pride in our community and our City and this project is the perfect means to demonstrate that Pride for everyone. I am working with the Hill Family, who has established the Westside Cultural Arts and Business Cooperative Center as a nonprofit resource within the West side community. Planning and implementation are moving forward to rehabilitate and develop the building as a source of various types of opportunities for residents.

The complete rehabilitation of the Hill building will help to beautify the Washington Street area, encouraging the emergence of culturally indigenous opportunities that highlight the diversity of the community while providing economic lift. Planned by The Hill Family, the Westside Cultural Arts and Business Center brings performing artists, visual artists, art patrons, citizens and tourists from other areas to the Center. The revitalization of the Center will stimulate community pride, enrich the lives of community members through participation and exposure to the arts and other opportunities as well as provide a resource for development of small businesses.

We project that the facility will assist 30 small existing and start-up businesses that are able to employ an average of 2 people each and thereby realize 60 additional jobs in the community. The types of businesses anticipated to take advantage of the opportunities offered at the center include, but are not limited to: construction, painters, landscaping, lawn services, caterers, hair braiders and non-chemical beauticians, realtors, barbers, dance and exercise instructors as well as provide 4 jobs through direct employment with the center. The completed project will also serve as home to outreach programs for the disadvantaged.

The proposed site is well-known within the West side community and provides a beautiful resource that captures original memories of the culture and the rich history of the West side area. An application has been submitted to the City's Planning and Zoning Department for designation as a historic landmark. A grant application is being submitted to the State of Florida Historic Preservation Department in December 2011 to assist with the rehabilitation of the exterior of the building.

The project will be completed in two phases. The first phase will rehabilitate and renovate the Hill Building and side building known as "The Chicken Shack." The second phase will include the addition of a two-story multipurpose facility to be used for dance/exercise and extra seating for events. The site is also included in the CRA Master Plan Update on page 47 as West side Infill Residential/Neighborhood Commercial site.

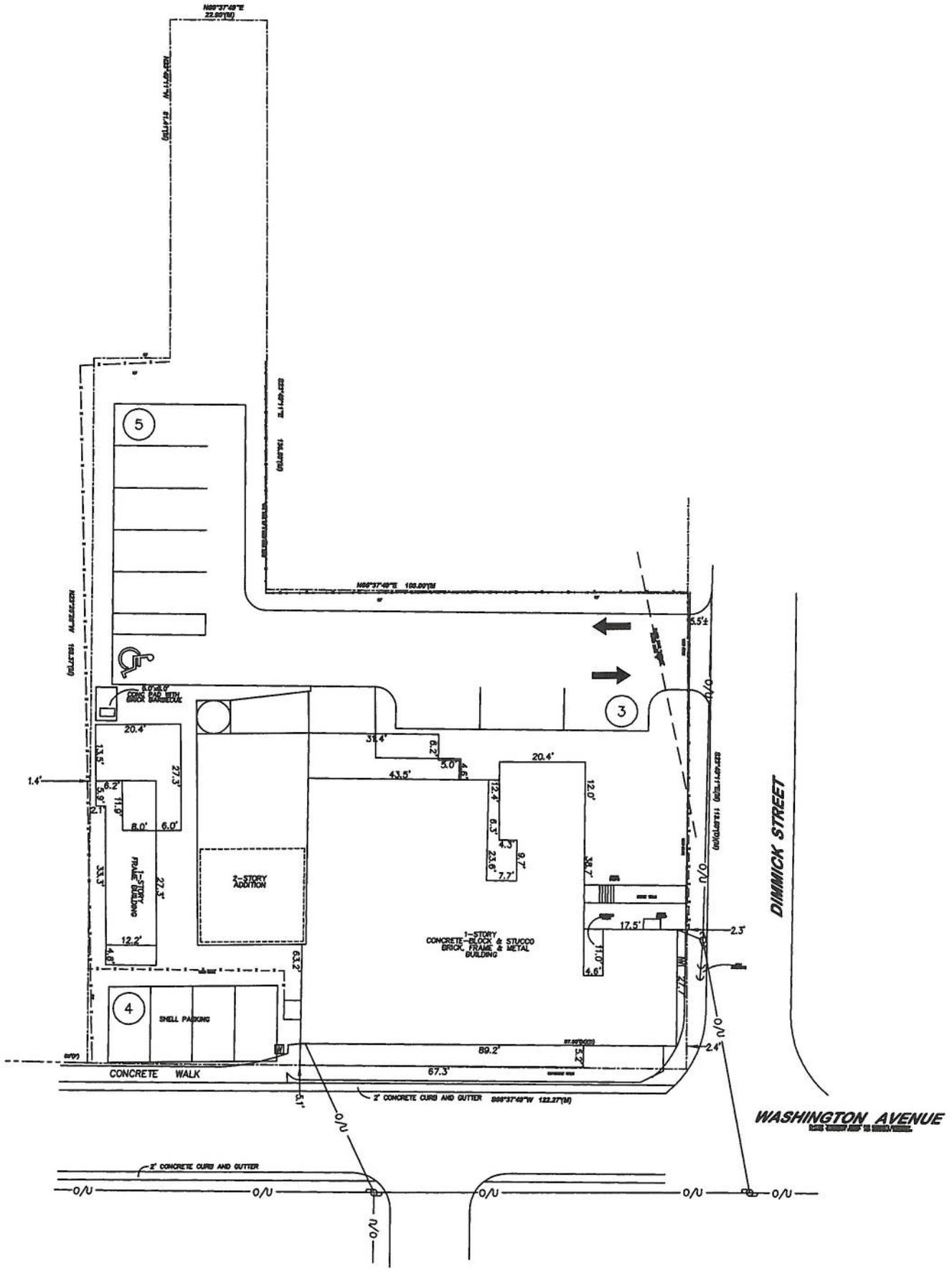
Thank you for your cooperation. We look forward to working with you.

Sincerely,

**Julie L. Wood**

Julie L Wood  
Project Development Consultant

cc: Gloria Hill



PROPOSED SITE PLAN W/ PARKING

LESS 50 FT SETBACK



### Washington Street Business District



Concepts include : purchase and renovation of historic commercial building to create business incubator; streetscape, sidewalks and utility burial; infill residential and neighborhood commercial accomplished through assistance programs.



### Infill Residential/Neighborhood Commercial

Various forms of infill residential and neighborhood commercial are possible, particularly if the cost of land can be reduced. On Julia Street, the CRA owns several properties which would accommodate many forms of residential. New design standards could better guide the form of new buildings.



### Property Improvement Incentives

Incentives such as paint vouchers will assist homeowner based enhancements, beautifying the neighborhood and increasing a sense of pride of place and property.

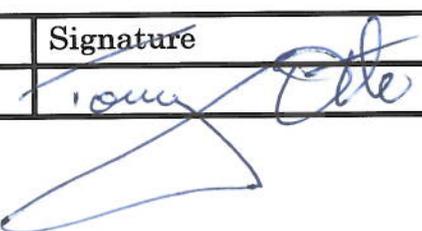


Washington Street, New Smyrna Beach (single family re-investment)





## CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: December 7, 2011		
Action Item Title: Riverside Park Improvements Project		
Agenda Section: Consent <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input type="checkbox"/>		
<p><b>Summary Explanation and Background:</b></p> <p>The Riverside Park Improvements Project contains lighting that will be installed by the contractor and also by the Utilities Commission.</p> <p>The contractor will install the new fishing pier lighting, the entrance bollards, and the up-lighting for the 2 monuments.</p> <p>The Utilities Commission has agreed to install and maintain the remaining park lighting which includes the main lighting along the boardwalk and within the interior of the park.</p> <p>The costs for the Utilities Commission to do this work will be \$104,581.18.</p>		
<p><b>Recommendation:</b> Staff recommends approving the Utilities Commission costs for the Riverside Park lighting at \$104,581.18</p>		
<p><b>Funding Analysis:</b> Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account: Acct # 567895</p>		
<p><b>Exhibits Attached:</b> Utilities Commission Invoices</p>		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

UTILITIES COMMISSION,  
CITY OF NEW SMYRNA BEACH, FLORIDA

200 Canal Street  
New Smyrna Beach, Florida 32168  
386-427-1361



Mailing Address:  
Post Office Box 100  
New Smyrna Beach, Florida 32170

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

*New Installation of Street Lights Riverside Park*

QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
13	150W Providence	\$1,325.04	\$17,225.52
15	250W Providence	\$1,486.58	\$22,298.70
13	17' Black Concrete	\$1,651.09	\$21,464.17
15	20' Black Concrete	\$1,803.79	\$27,056.85
<b>TOTAL</b>			<b>\$88,045.24</b>

*"Connecting You With Quality"*



P.O. Box 100  
 200 Canal Street  
 New Smyrna Beach FL 32170-0100

INVOICE	M-778
Type	
Date	9/16/2011
Page	1

**Bill to:**

City of New Smyrna Beach  
 210 Sams Avenue  
 New Smyrna Beach FL 32168

Purchase Order ID	Customer ID	Department	Payment Terms ID
	CITY100	ELECTRIC	Net 30 Days
Description			Price
<i>Electric underground service cable installation at            Riverside Park for the City of New Smyrna Beach            street lighting project.</i>			\$0.00
Labor			\$2,689.64
Equipment			\$1,530.00
Material			\$10,950.95
<i>Engineering: 9% of Sub-Total Amount</i>			\$1,365.35

RECEIVED  
 SEP 20 2011

CREDIT TO: 11-UE001

Subtotal	\$16,535.94
Misc	\$0.00
Freight	\$0.00
Total	\$16,535.94

## CRA AGENDA ITEM SUMMARY

**Staff Member Making Request:** Tony Otte, through Mark R. Hall, CRA attorney

**Meeting Date:** December 7, 2011

**Action Item Title:** CRA Grant conflicts

**Agenda Section:** Consent \_\_\_\_\_ Public Hearing \_\_\_\_\_ Special Items   x  

**Summary Explanation and Background**

Attached is a memo dated 11/22/2011 about issuing of grant money to CRA commissioners. The memo requests adopting a policy prohibiting current CRA Commissioners from applying for or receiving grant money from the CRA on which they sit.

In accordance with 163.367(1), Fla. Stat., public officials, commissioners, and employees of community redevelopment agencies are subject to the ethical requirements and provisions of part III of chapter 112, Fla. Stat. Under chapter 112.313(3), Fla. Stat., it is improper for an employee or a public officer acting in his or her official capacity to “do business” with the agency. “Doing business” with one’s agency includes apparent manifestations such as exchanging goods, renting or leasing realty, contracting for services, and purchasing or selling property, goods or services as well as less-apparent manifestations including applying for and receiving grant money. This interpretation of the statute proffered by the Florida Commission on Ethics in both CEO 90-76 and CEO 77-65 makes the application for or receiving of grant money a violation of state law.

Therefore, it is recommended that the CRA adopt a bright-line policy prohibiting CRA Commissioners or staff members from applying for or receiving grant money from the CRA.

**Recommended Action/Motion:**

Move that the CRA revise its grant programs’ criteria to limit applicants to those who are not City or CRA officers or employees.

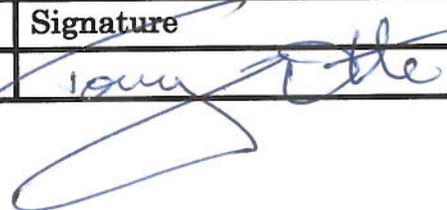
**Funding Analysis:** Budgeted   x   If not budgeted, recommend funding account:  
Not applicable.

**Exhibits Attached:**

Memo from Mark R. Hall, CRA attorney to Tony Otte, CRA Director dated 11/22/11.

Reviewed By:	Name	Signature
CRA Director	Tony Otte	

**Commission Action**



# Memo

**To:** Tony Otte  
**From:** Mark R. Hall  
**Date:** 11/22/2011  
**Re:** CRA Grant Conflicts

---

Mr. Otte:

This memo is written in response to your questions about the Community Redevelopment Agency's policy of allowing the issuing of grant money to CRA Commissioners. Specifically the question of whether CRA Commissioners may apply for or receive CRA grant money is addressed by the following:

## **CRA Grants**

### **Conflicts of Interest Generally**

Pursuant to 163.367(1), Fla. Stat., public officials, commissioners, and employees of community redevelopment agencies are subject to the ethical requirements and provisions of part III of chapter 112, Fla. Stat. Under chapter 112.313(3), Fla. Stat., it is improper for an employee or a public officer acting in his or her official capacity to "do business" with the agency. "Doing business" with one's agency includes apparent manifestations such as exchanging goods, renting or leasing realty, contracting for services, and purchasing or selling property, goods or services.<sup>1</sup>

However, the Florida Commission on Ethics, on two separate occasions, has determined that the application for or the receiving of grant money from a board on which a member sits constitutes a violation of chapter 112.313(3), Fla. Stat.<sup>2</sup> Should a member apply for or receive a grant, that member would, in effect, be conducting business with his or her agency. This would constitute a conflict of interest in violation of the Florida Statutes.

### **Chairman Kosmas and Commissioner Schilsky**

On November 4, 2009, current CRA Chairman and then-Commissioner James Kosmas applied for and was approved to receive a CRA grant in the amount of \$1,925.00 for exterior improvements to his building located at 111 Live Oak Street, New Smyrna Beach, Florida 32168. This grant was approved unanimously (5-0) by the CRA Commission with Commissioner Kosmas abstaining after declaring his conflict of interest. In retrospect, the CRA Commission should not have approved this grant, nor should Commissioner Kosmas have applied for this grant. The abstention by Commissioner Kosmas did not cure the defect. This matter did not meet the requisite expenditure level to merit review by the New Smyrna Beach City Commission.

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<sup>1</sup> 112.313(3), Fla. Stat.

<sup>2</sup> CEO 90-76, CEO 77-65

On May 4, 2011, CRA Commissioner Chad Schilsky applied for and was approved to receive two CRA grants, one for \$4,680.00 earmarked for the exterior commercial improvement grant and \$4,259.30 for the interior commercial improvement grant. This grant was approved unanimously (4-0) by the CRA Commission with Commissioner Schilsky abstaining after declaring his conflict of interest. The CRA Commission should not have approved this grant, nor should Commissioner Schilsky have applied for this grant. The abstention by Commissioner Schilsky did not cure the defect. This matter came before the New Smyrna Beach City Commission on May 10, 2011, and was approved unanimously (4-0) with Mayor Adam Barringer abstaining due to a conflict of interest with his construction company performing the work associated with the grant award.

Chairman Kosmas was made aware on November 10, 2011 of the ethical and legal issues concerning his receiving of the CRA grant and is *considering* repaying his \$1,925.00 CRA grant. Chairman Kosmas has served on the CRA for ten (10) years and would not have applied for a grant if he had been aware of the legal and ethical issues associated with such an application. With the repayment of the grant issued to Chairman Kosmas, it is the opinion of Mark R. Hall, P.A. that this action will cure this grant conflict. Chairman Kosmas was not aware that the application for and receiving of the grant was not permitted.

Commissioner Schilsky was made aware on November 7, 2011 of the ethical and legal issues concerning his receiving of the CRA grant and voluntarily agreed to withdraw his grant application to the CRA in an abundance of caution<sup>3</sup>. He has not received, nor will he receive any money from the CRA. Furthermore, Commissioner Schilsky would not have applied for a grant if he had been aware of the legal and ethical issues associated with such an application. It is the opinion of Mark R. Hall, P.A. that this action has cured the defect with the grant application process of Commissioner Schilsky.

### **Policy Adoption**

The New Smyrna Beach Community Redevelopment Agency should adopt without any delay a bright-line policy prohibiting current CRA Commissioners from applying for or receiving grant money from the CRA on which they sit. Adopting such a policy would bring the New Smyrna Beach CRA into compliance with both Florida law and the opinions proffered by the Florida Commission on Ethics. A failure to adopt such a prohibition could result in further ethical and legal complications if CRA Commissioners are permitted to continue applying for and receiving grants from the agency.

Very truly yours,

**Mark R. Hall, P.A.**



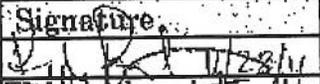
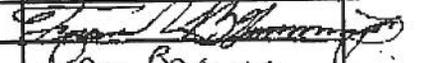
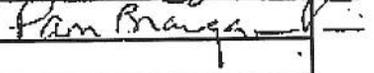
Mark R. Hall, CRA Attorney

MRH/sh

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<sup>3</sup> Letter from Commissioner Schilsky to Tony Otte, dated November 8, 2011

# CRA AGENDA ITEM SUMMARY

Department Making Request: <u>Engineering</u>		
Meeting Date:	1 <sup>st</sup> Reading: <u>December 7, 2011</u>	2 <sup>nd</sup> Reading: <u>N/A</u>
Action Item Title: <u>Riverside Park Seawall, Pier &amp; Lighting Replacement Project</u>		
Agenda Section:	Consent <input checked="" type="checkbox"/> Public Hearing	Special Items
<p><b>Summary Explanation and Background:</b> On November 15, 2011, staff conducted a bid opening for the Riverside Park Seawall, Pier &amp; Lighting Replacement Project. A total of four (4) bids were received. The three lowest bids had less than a 2% spread, which is a good indication of solid competitive bid preparation by the contractors. Review and reference checks were performed by Quentin L. Hampton &amp; Associates (QLH see attached recommendation letter dated 11/21/11) as needed to insure the lowest bidder is not only capable of performing the physical work, but also understands the stipulations of the construction and compliance with the administrative documentation. The lowest bidder, C &amp; L Landscape, Inc, (C&amp;L) did provide a thorough proposal package including addendums, bidder's qualifications, various affidavits and of the lowest three bidders were the only company that did not have a mathematical error. Another concern involves C&amp;L's marine related experience and their capabilities of restructuring existing seawall panels while maintaining the integrity of the bulkhead, meeting DEP &amp; City permit conditions within the allotted contract time frame. C&amp;L has assured the City their commitment to this project is steadfast and will place a superintendent on site with 25 years of marine/concrete related construction experience.</p> <p>C&amp;L submitted a base bid amount of \$926,725.00. There were two bid alternates with bid alternate no. A-1 involving the removal of an existing masonry wall planter (actually closed fountain filled with earthen material) and alternate no. A-2 involves reusing the existing stainless steel cable for the new handrail system. Bid alternate no. A-1 would remove a large structure that impedes mobility in the area and the submitted cost of \$3,500.00 seems to take advantage of the Contractor already mobilizing heavy equipment for the base bid work, thus is recommended the City pursue this alternate. Bid alternate no. A-2 is a cost savings of \$17,500.00 and a visual examination of the existing 304 stainless steel cable indicates it is capable of necessary tension (note: all insufficient cable will be replaced under bid item #9) needed to comply with IBC code requirements. It is recommended the City accept bid alternate no. A-2 with a base bid deduct amount of \$17,500.00.</p> <p>Based on the C&amp;L's positive references and complete bid proposal packet it is recommended the City award the base bid as well as both bid alternates to C&amp;L in the amount of \$912,725.00.</p> <p>With regard to funding appropriations, the CRA fund 120 has allocated \$930,000.00 to the project as well as \$85,880.00 and \$325,000.00 reimbursement from FUND phase I &amp; II respectively, providing a total capital project budget of \$1,340,880.00.</p>		
Recommended Action/Motion: <u>Award the contract to C &amp; L Landscape, Inc. in the amount of \$912,725.00 for the Riverside Park Seawall, Pier &amp; Lighting Replacement Project.</u>		
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommended funding account: <u>1205502-5107895 - Available Funds \$1,191,507</u>		
Exhibits Attached: <u>1.C&amp;L Bid, 2.QLH letter dated 11/21/11</u>		
Reviewed By:	Name	Signature
Department Director:	Khalid Resheidat	
Finance Director	Althea Philord	
City Attorney	Frank Gummey	
City Manager	Pam Brangaccio	
Commission Action:		

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

Quentin L. Hampton Associates, Inc.  
*Consulting Engineers*  
P.O. DRAWER 200247  
PORT ORANGE, FLORIDA 32128-0247

TELEPHONE: (386) 761-8810  
FAX: (386) 761-8077  
EMAIL: qha@qlha.com

November 21, 2011

Kyle Fegley, P.E.  
City of New Smyrna Beach  
210 Sams Avenue  
New Smyrna Beach, FL 32132

**RE: RIVERSIDE PARK SEAWALL, PIER, AND LIGHTING REPLACEMENT  
RECOMMENDATION OF AWARD**

Dear Kyle,

On November 15, 2011, the City opened bids submitted on the above referenced project. A total of four (4) bids were received. The attached certified bid tabulation reflects the order with C&L Landscaping Inc. of Jacksonville, FL being the apparent low bidder with a base bid of \$926,725. The second low bidder was C&D Construction of Cocoa, FL with a base bid of \$929,771. The third lowest bid was submitted by A.G. Pifer of Daytona Beach, FL with a base bid of \$939,477.50.

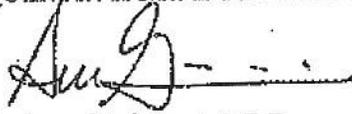
Our firm has no experience with working with the two lowest bidders; therefore, we checked both companies' references. Two (2) references returned the call stating C&L did excellent work. At the time of this writing, we were awaiting return calls from others. We had similar responses from C&D Construction's references. Each reference gave C&D high marks for work similar to the subject project.

Based on the above, we can state that the two (2) lowest bidders have completed similar work to the Riverside Park project with satisfactory results. However, it should be noted that C&L Landscaping will utilize four (4) sub-contractors to perform approximately 50% of the dollar value of the work. In comparison, C&D Construction would utilize two (2) sub-contractors to perform approximately 30% of the dollar value of work. Also, C&D Construction's experience appears to be more in line with the type of work proposed on the Riverside Park project.

Nonetheless, it is our opinion that either C&L Landscape or C&D Construction are qualified to perform the work, and we can find no reason that C&L should not be considered for award.

We trust this letter will assist the City in going forward with award of the project. Please call our office if there are questions.

Sincerely,  
QUENTIN L. HAMPTON ASSOCIATES, INC.

  
Andrew M. Giannini, P.E.  
Project Manager

AMG:el  
Enclosures

**CITY OF NEW SMYRNA BEACH, FLORIDA  
RIVERSIDE PARK SEAWALL, PIER LIGHTING REPLACEMENT  
BID DATE: NOVEMBER 15, 2011**

Engineer Certification  
I hereby certify that the above bid represents a true and correct translation of the bids received. If applicable, unit prices were referred to provide a basis for pricing and calculation, errors made by bidders. Owner may choose to award bid based upon the lowest priced bid.

Professional Engineer  
No. 45561  
Date: 11-16-11  
Andrew K. ...  
Quentin L. ...  
Florida Registered Professional Engineer

C&L Landscape, Inc.      C&L Construction      A.C. Pier Construction      S.E. Cline

Item	Description	Qty	Unit	Unit Price	Total Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1	Bonds and Insurance	1	LS	\$ 23,500.00	\$ 23,500.00	\$ 9,650.00	\$ 12,320.50	\$ 12,320.50	\$ 26,707.14	\$ 26,707.14	\$ 13,575.14	\$ 13,575.14
2	Mobilization/Demobilization	1	LS	\$ 75,919.00	\$ 75,919.00	\$ 74,720.00	\$ 55,499.00	\$ 65,499.00	\$ 4,667.62	\$ 4,667.62	\$ 12,690.48	\$ 12,690.48
3	Maintenance of Pedestrian Traffic	1	LS	\$ 1,250.00	\$ 1,250.00	\$ 2,120.00	\$ 2,600.00	\$ 2,600.00	\$ 2,600.00	\$ 2,600.00	\$ 2,600.00	\$ 2,600.00
4	Inspector/Turbidity Control and Monitor Observation	1	LS	\$ 4,500.00	\$ 4,500.00	\$ 10,918.00	\$ 5,080.00	\$ 5,080.00	\$ 12,690.48	\$ 12,690.48	\$ 101,985.71	\$ 101,985.71
5	Demolition, Clearing & Disposal	1	LS	\$ 55,000.00	\$ 55,000.00	\$ 46,852.00	\$ 62,100.00	\$ 60,100.00	\$ 101,985.71	\$ 101,985.71	\$ 101,985.71	\$ 101,985.71
6	Imported and Compacted Clean Fill	500	CY	\$ 12.00	\$ 6,000.00	\$ 53.00	\$ 26,500.00	\$ 26,500.00	\$ 21.30	\$ 10,650.00	\$ 10,650.00	\$ 10,650.00
7	Repair Seawall (remove/replace concrete cap, rebar's with deadman or anchors, excavate and chemical grout behind wall)	950	LF	\$ 285.15	\$ 270,892.50	\$ 210.00	\$ 200,127.00	\$ 564.08	\$ 949,676.00	\$ 762.11	\$ 724,004.50	\$ 724,004.50
8	Wood Decking	950	SY	\$ 90.45	\$ 85,927.50	\$ 75.00	\$ 71,250.00	\$ 103.80	\$ 95,760.00	\$ 86.18	\$ 81,871.00	\$ 81,871.00
9	Handrails (wood with stainless steel cables)	1300	LF	\$ 38.45	\$ 49,985.00	\$ 53.00	\$ 68,980.00	\$ 42.56	\$ 55,328.00	\$ 82.51	\$ 12,129.76	\$ 12,129.76
10	Remove/Replace Wood Piles	8	EA	\$ 325.00	\$ 2,600.00	\$ 642.00	\$ 5,136.00	\$ 345.00	\$ 2,760.00	\$ 1,516.22	\$ 12,129.76	\$ 12,129.76
11	Concrete Sidewalk, Type 1 (at bulkhead cap)	900	SY	\$ 36.00	\$ 32,400.00	\$ 28.16	\$ 34,344.00	\$ 26.65	\$ 23,985.00	\$ 36.04	\$ 32,400.00	\$ 32,400.00
12	Concrete Sidewalk, Type 2	600	SY	\$ 32.00	\$ 19,200.00	\$ 57.24	\$ 34,344.00	\$ 27.76	\$ 16,635.00	\$ 32.64	\$ 19,584.00	\$ 19,584.00
13	Epoxy Injection of Cracks in Seawall	1100	LF	\$ 97.65	\$ 107,415.00	\$ 94.34	\$ 103,774.00	\$ 93.43	\$ 102,795.00	\$ 89.07	\$ 97,977.92	\$ 97,977.92
14	Aluminum Handrail	220	LF	\$ 23.00	\$ 5,060.00	\$ 212.00	\$ 46,640.00	\$ 30.80	\$ 6,776.00	\$ 59.52	\$ 13,094.40	\$ 13,094.40
15	Fixed Lathing Deck (excluding one (1) pile)	1	LS	\$ 1,300.00	\$ 1,300.00	\$ 1,050.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00
16	Removal and Disposal of Existing Sidewalk	1605	SY	\$ 2.50	\$ 4,002.00	\$ 2.50	\$ 4,000.00	\$ 3.13	\$ 5,008.00	\$ 9.37	\$ 14,992.00	\$ 14,992.00
17	Replacement of Stringers (as noted) 3" x 12"	100	LF	\$ 6.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 7.00	\$ 700.00	\$ 23.74	\$ 2,374.00	\$ 2,374.00

MSB13.1 Bid Tables



**SECTION 00300  
BID PROPOSAL**

**RIVERSIDE PARK SEAWALL, PIER, & LIGHTING REPLACEMENT  
CITY OF NEW SMYRNA BEACH, FLORIDA**

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

November 14, 2011

Dear Ms. Brangaccio:

Pursuant to and in compliance with your ADVERTISEMENT FOR BID dated September 3, 2011 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 Riverside Park Seawall, Pier, & Lighting Replacement, CITY OF NEW SMYRNA BEACH, VOLUSIA COUNTY, FLORIDA, all as required by and in strict accordance with the Contract Documents, Schedules and Drawings, at the prices listed below.

**Riverside Park Seawall, Pier, & Lighting Replacement**

Item	Description	Qty	Unit	Unit Price	Total Cost
1	Bonds and Insurance	1	LS	23,500.00	23,500.00
2	Mobilization/Demobilization	1	LS	75,919.00	75,919.00
3	Maintenance of Pedestrian Traffic	1	LS	1,250.00	1,250.00
4	Erosion/Turbidity Control and Manatee Observation	1	LS	4,500.00	4,500.00
5	Demolition, Clearing, & Disposal	1	LS	55,000.00	55,000.00
6	Imported and Compacted Clean Fill	500	CY	12.00	6,000.00
7	Repair Seawall (remove/replace concrete cap, tie-backs with deadmen or anchors, excavate and grouting behind wall)	950	LF	285.15	270,892.50
8	Wood Decking	950	SY	90.45	85,927.50
9	Handrails (wood with stainless steel cable)	1,300	LF	38.45	49,985.00
10	Remove/Replace Wood Piles	8	EA	325.00	2,600.00
11	Concrete Sidewalk, Type 1 (at bulkhead cap)	900	SY	36.00	32,400.00
12	Concrete Sidewalk, Type 2	600	SY	32.00	19,200.00
13	Epoxy Injection of Cracks in Seawall	1,100	LF	97.65	107,415.00
14	Aluminum Handrail	220	LF	25.00	5,500.00

Item	Description	Qty	Unit	Unit Price	Total Cost
15	Fixed Landing Deck including one (1) pile	1	LS	4300.00	4300.00
16	Removal and Disposal of Existing Sidewalk	1,600	SY	2.50	4000.00
17	Replacement of Stringers (as needed) 3" x 12"	100	LF	6.00	600.00
18	Concrete Piles	4	EA	3650.00	14,600.00
19	Aluminum Gangway	1	LS	7500.00	7500.00
20	Concrete Floating Dock (50' x 10')	1	LS	51,400.00	51,400.00
21	Sod	2,500	SY	2.40	6000.00
22	Construction Layout and As-Built Survey	1	LS	10,500.00	10,500.00
23	2" Conduit	3,800	LF	6.18	23,484.00
24	1-1/4" Conduit				
	a) Trenched in by hand	400	LF	7.42	2,968.00
	b) Directional bored	100	LF	36.30	3,630.00
25	Pull Boxes (traffic rated per Utilities Commission specs)	14	EA	770.00	10,780.00
26	Modify Existing Panel PN (note 1, sheets E3 & E4)	2	EA	3080.00	6160.00
27	Furnish & Install Electrical Panel (note 2, sheet E3 & E4)	2	EA	4025.00	8050.00
28	'OB' Streetlight	4	EA	4180.00	16,720.00
29	'OD' Bollards	6	EA	1190.00	7140.00
30	'OE' Monument Uplighting	8	EA	1258.00	10,064.00
31	'OF' Flag Pole Uplighting	2	EA	880.00	1760.00

**BID TOTAL**

Item	Description	Qty	Unit	Unit Price	Total Cost
	Alternate Bid Item				
A-1	Remove Planter (grade and sod)	1	LS	3500.00	3500.00
	<b>ALTERNATE BID ITEM A-1 TOTAL</b>				

Item	Description	Qty	Unit	Unit Price	Total Cost
	Alternate Bid Item				
A-2	Utilize Existing Stainless Steel Cable & Hardware - Add or Deduct (circle one)	1	LS	17,500.00	17,500.00
	<b>ALTERNATE BID ITEM A-2 TOTAL</b>				

TOTAL BASE BID: nine hundred twenty-six thousand  
Seven hundred twenty-five dollars NO/100  
(Use Words)  
\$ 926,725.00  
(Use Figures)

ALTERNATE BID A-1: three thousand five hundred dollars  
NO/100  
(Use Words)  
\$ 3500.00  
(Use Figures)

ALTERNATE BID A-2: \_\_\_\_\_  
Seventeen thousand five hundred dollars NO/100 - deduct  
(Use Words)  
\$ <17,500.00>  
(Use Figures)

The undersigned bidder agrees to commence work within Ten (10) days after the date of the 'Notice to Proceed' letter, and shall substantially complete all work within One Hundred Eighty (180) calendar days from Notice to Proceed, with final completion within Thirty (30) days of substantial completion. The bidder further agrees to pay, as liquidated damages, the sum of Five Hundred (\$500.00) DOLLARS 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 10970

The undersigned hereby designates Call Landscape Inc. 1601 E Duval St. Jacksonville, FL 32202 (type or print business name and address) as his office to which notices may be delivered or mailed.

**ACKNOWLEDGMENT OF ADDENDA**

Addenda will be issued via email and it is the Bidder's responsibility to confirm that all addenda have been received prior to submitting a bid for the project. Acknowledgment is hereby made of the following Addenda received since issuance of Drawings and Specifications:

Addendum No. <u>1</u>	Dated: <u>9/29/11</u>	Addendum No. _____	Dated: _____
Addendum No. <u>2</u>	Dated: <u>11/9/11</u>	Addendum No. _____	Dated: _____
Addendum No. _____	Dated: _____	Addendum No. _____	Dated: _____

**SUPPLEMENTAL REQUIREMENTS**

The following documents are attached to and made a condition of this bid:

- Bid Proposal: Section 00300 including Acknowledgement of Addenda
- Statement of Bidder's Qualifications: 00320
- Listing of Subcontractors: Section 00330
- Listing of Previous Experience: Section 00331
- Bid Bond: Section 00410
- Public Entity Crimes Statement: Section 00470
- Anti-Collusion Statement: Section 00480
- Drug Free/Tie Preference Statement: Section 00485
- Trench Safety Affidavit: Section 00490
- Certificate as to Corporate Principal: Section 00620
- City of New Smyrna Beach Insurance Requirements: Section 00800A

DATED: November 14, 2011

Tana Hamburger President  
Name of Bidder and Title (Type or Print)

(SEAL, if by a Corporation)

BY: Tana Hamburger  
Signature of Bidder

C&L Landscape, Inc.

1101 E. Dual St. Jax, Fl. 32207  
Corporation Name and Address

END OF SECTION

# ***REPORTS AND COMMUNICATIONS***

# CRA DIRECTOR'S REPORT

December 7, 2011

## Announcements

- A list of holiday events is available on the NSBWaterfrontloop.com website.
- It is anticipated that there will be a joint meeting of the CRA and City Commission in January, with agenda items to include a review of the following grant programs:
  - Opportunity Site: individual grant dollar amounts; and the process for adding sites;
  - Combined Grant Program: tenants eligibility for exterior grants; and
  - Grants and Aids Program: a review of grant guidelines

## City Commission Items

- A summary of the November 8 and 29 City Commission meetings are attached.

## Work Priorities

- Change Order, Flagler Boardwalk Project: a report was given at the November 2 CRA meeting regarding a proposed change order to this project to add a 50 foot seawall extension near the Lifeguard station at the request of Volusia County. This request was approved at the November 8 City Commission meeting in the amount of \$120,000 (please see the November 8 City Commission Summary of Action, Section X. C.) The design fee for the work is \$25,000 (please see the attached scope of services and fee estimate from the project engineer, Quentin L. Hampton), with the balance being a construction estimate that may need to be adjusted following design and receipt of the engineer's estimate of construction cost.
- Coronado Community United Methodist Church Parking Lot lease – the lease of the eastern half of this unimproved parking lot adjacent to the Coronado Civic Center has been approved with the first day being December 1. There will be a white vinyl fence constructed on the western border of the leased area boundary, and signage will erected. The lot provides 65 parking spaces in a 5 year lease that requires an annual appropriation by the City Commission to remain in effect.
- Wayfinding signage – the consultant has had a number of communications with FDOT personnel and anticipates the final approval by the end of next week.
- Mary Ave Streetscape: this project is now complete.
  - The survey of this site has been completed by a surveyor and is now under review.
  - It is anticipated that the City Commission will consider scheduling a “planning charette” for this site (as well as the AOB site) to be conducted by architect Jay Pendergast. Mr. Pendergast was selected to do a variety of future architectural projects for the CRA and he is well familiar with the site.
- Opportunity Site Grant Applications and Designation Requests: It is anticipated that an application for the Badcock Building and an infill site on Flagler will be brought forward at the January CRA meeting. Staff is also working with a

property owner with an infill lot on Canal St for an Opportunity Site designation request.

- Form Based Code – The City Commission held a workshop on October 25 to discuss the draft Form-Based Code. Staff is following up on the Commission directive to review the draft code to ensure that it makes development easier rather than more difficult and bring it back for consideration.
- Administrative Office Building site: a survey including boundaries and environmental areas is in the final stages of completion.
- Brownfields:
  - The Dunn site – the scheduled environmental work on this site is now complete.
  - 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), and Esther Street Park and Stormwater (Parker Mynchenberg).
- 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 Ronnoc Lane.
- Esther Street Park Seawall Project: Construction is scheduled to begin this month and be completed before the end of May. The contractor’s crane is now on-site.
- Flagler Ave Boardwalk Park Seawall, Restrooms, Parking, and Pavilion: Construction is underway and scheduled for completion in May.
- US 1 and Canal St Intersection:
  - 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. At the November 15 public information meeting it was noted that the area leased for landscaping on the south side of Canal Street will be used as a part of the new right of way when that section of Canal St is widened. Staff will contact the property owner to discuss the situation.
  - An agenda item for the CRA to pay for “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) will be considered at the December 13 City Commission meeting.
- Marketing

- Banner designs have now been finalized and the Historic Westside banners will be placed on the Mary Ave streetlight poles.
- 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 – NSBWaterfrontloop.com has now been launched.
- Billboard – the billboard for the NSBWaterfrontloop is in place on southbound I-95, three miles north of the SR 44 exit.
- Arts District Overlay – this item will be reviewed sometime later in this fiscal year.
- CIP – A Capital Improvements information spreadsheet is available on the City’s website, [www.cityofnsb.com](http://www.cityofnsb.com).
- Third Ave and S Peninsula Intersection – CRA staff is developing options for designing landscaping at the Northeast corner of the intersection.
- Votran Bus Stop – Staff continues to work with Votran on plans for moving the Bus Stop from Christmas Park.
- Washington Street Business Incubator: Staff is exploring other sites (please see agenda item for the building housing the barbershop).

**SCOPE OF SERVICES AND FEE ESTIMATE  
FLAGLER AVE SEAWALL EXTENSION AT OCEAN AVE  
CITY OF NEW SMYRNA BEACH**

**November 1, 2011**

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

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

1. Design – Prepare seawall design calculations, drawings and specifications. Plans include civil and structural sheets for contractor pricing and permitting. No new survey is proposed. QLH will provide plans to the City’s contractor currently constructing the Flagler Ave. Seawall/Pavillion/Restroom project and assist the City in evaluating and negotiating a change order price for constructing the work.
2. Site Plan Approval and Permitting – Obtain all requisite CCL and site plan approvals from the planning department and City Commission. Assist the City in obtaining a modification to the existing FDEP permit and Volusia County Use permit. QLH will prepare all applications, the City is responsible for all application fees.
3. Contract Administration – QLH shall provide construction administration services, review of contractor shop drawings and pay requests, periodic site visits to review the contractor’s conformance to the requirements of the construction drawings and specifications.

**Schedule** - QLH will complete the plans, specifications and permit applications in 30 days.

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

- Environmental Assessments, surveys, soil borings
- Property acquisition, easements and/or legal services
- Permit Application Fees
- All expenses not specifically described herein

**Proposed Fees** – QLH will complete the work for estimated fees as follows:

<b>Item</b>	<b>Task Description</b>	<b>Est. Fee</b>
1	Design	\$12,500
2	Site Plan Approval and Permitting	\$7,500
3	Contract Admin	\$5,000
<b>Total Estimated Fees</b>		<b>\$25,000</b>

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

The terms outlined above are hereby agreed to:

**City of New Smyrna Beach**

Pamela Brangaccio 11/13/11  
Pamela Brangaccio, City Manager Date



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

**SUMMARY OF ACTION**

**TUESDAY, NOVEMBER 8, 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 Thomas Burlison will be present and give the invocation.

**III. Approval of the Agenda:**

**IV. Announcements/Presentations/Recognition:**

A. Workforce Wellness Program – Staff update on a new program being implemented in collaboration with Florida Healthcare in order to provide enhanced services to employees and to reduce healthcare costs.

**No action.**

B. Volusia Building Industry Association – Remarks by Sandy Bishop, Executive Officer representing the Volusia Building Industry Association, to express the organization's commitment to a “fresh start” in its relationship with the City.

**No action.**

**V. Mayor and Commission Reports:**

**Approved a short-term lease of City property on Julia Street to Halifax Urban Ministries as the organization transitions from its current location to a mobile operation.**

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

A. Approval of Minutes – Approve the minutes of the regular meetings held June 14 and June 28, 2011.

**Approved with corrections.**

- B. Team Volusia Cooperative Economic Development Agreement – Approve entering into a Cooperative Economic Development Agreement with Team Volusia Economic Development Corporation at a cost of \$25,000 for FY 2011/2012 and \$25,000 for FY 2012/2013.

**Approved as recommended.**

- C. Mutual Aid Agreement/Fire & Rescue – Approve the renewal of the existing countywide fire and rescue mutual aid agreement, for a period of five years with Volusia County and the Cities of Daytona Beach, Daytona Beach Shores, Deland, Deltona, Edgewater, Holly Hill, Orange City, Ormond Beach, Ponce Inlet, Port Orange, and South Daytona.

**Approved as recommended.**

- D. Sale of Surplus Equipment – Approve the sale of a surplus vehicle to the City of Edgewater for the agreed upon price of \$7,500. The surplus vehicle is a 2005 Ford F-150 pickup truck.

**Approved as recommended.**

- E. Interlocal Agreement/Fueling Services – Approve entering into an interlocal agreement with the Housing Authority, New Smyrna Beach in order to provide the housing authority with fuel for its four vehicles.

**Approved as recommended.**

- F. 11th Amendment for Consulting Services/Municipal Airport – Approve the 11th Amendment for Consulting Services for engineer, design, bid and construction phases for the rehabilitation of T-Hangar “E” and the hangar at 1996 Aero Circle to Airport Engineering Company for an amount of \$203,886, 80% payable by grant funding and 20% payable by airport funds.

**Approved as recommended.**

- G. Social Media Policy/Waterfront Loop – Approve the Social Media Policy for the New Smyrna Beach Waterfront Loop in order to address marketing initiatives of the Community Redevelopment Agency.

**Approved as recommended.**

- H. Brownfield Consulting Services – Approve and accept the scope of work provided by Kimley-Horn and Associates for Brownfield Consulting Services in the amount of \$57,500 as budgeted by the CRA.

**Approved as recommended.**

- I. Quit Claim Deed/Riverview Hotel and Restaurant – Approve a quitclaim deed in order to grant 32.5 feet of property to the Riverview Hotel and Restaurant for a fee of \$500.

**Approved as recommended.**

- J. 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/Soul Food Fall Festival – Approve the conduct of the 5th Annual Soul Food Fall Festival to be held Friday, November 11, 2011 through Sunday, November 13, 2011. The event is sponsored by the Allen Chapel Church who is also requesting the closure of Mary Avenue from Sheldon Street to Myrtle Avenue from 12 to 10 pm on both Friday, November 11, 2011 and Sunday, November 13, 2011; and, from 9 am to 10 pm on Saturday, November 12, 2011.

**Approved as recommended.**

2. Special Event/Get Out the Vote and Tax Day Rally – Approve the conduct of the “Get Out the Vote and Tax Day” Rally to be held April 15, 2012. The event is sponsored by resident Mr. Joel Paige and will be held at Riverside Park.

**Approved as recommended.**

**VII. Ordinances – Second Reading and Public Hearings:**

- A. Ordinance No. 44-11/Rezoning of Annexed Enclave No. 5 – Conduct the second reading and public hearing of an ordinance, which if adopted, would rezone approximately 1.216 acres, located north of S.R. 44, between Mission Drive/Wallace Road and Eddie Road from Volusia County General Commercial Development District (Thoroughfare Overlay Zone) (B-4(C) to City Highway Service Business District (Corridor Overlay Zone)(B-3(C) zoning district.. This property was annexed into the City as part of an enclave annexation agreement between the City and Volusia County.

**Adopted per staff’s recommendation.**

- B. Ordinance No. 108-11/Sign Regulations – Conduct the second and final of two required public hearings of an ordinance, which if adopted, would amend the Land Development Regulations by updating the City sign regulations.

**The second and final of two required public hearings was continued/deferred to the regular meeting on November 29, 2011.**

- C. Ordinance No. 109-11/Levels-of-Service Standards – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the Land Development Regulations to allow for the revision of level-of-service standards regarding sanitary sewer concurrency and potable water facility concurrency.

**Adopted per staff’s recommendation.**

- D. Ordinance No. 110-11/Budget Amendment – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend would amend Ordinance Nos. 40-10, 61-10, 65-10, 03-11, 17-11, 26-11, 36-11, 56-11 and 75-11, current expenses and capital outlay required by the City of New Smyrna Beach, during the fiscal year ending September 30, 2011.

**Adopted per staff’s recommendation.**

**VIII. Public Participation:**

**No action.**

**IX. Ordinances – First Reading:**

- A. Ordinance No. 27-11/Nuisances – Conduct the first reading of an ordinance, which if adopted, would amend the Code of Ordinances by creating a new article entitled “Nuisance Properties”.

**Approved on first reading. The second reading and public hearing will be conducted at the regular meeting on November 29, 2011.**

- B. Ordinance No. 112-11/Fairmont and Westwood Avenue Paving District – Conduct the first reading of an ordinance, which if adopted, would establish the 2600 blocks of Fairmont and Westwood Avenue Paving District.

**Approved on first reading. The second reading and public hearing will be conducted at the regular meeting on November 29, 2011.**

**X. Administrative Items/New Business:**

- A. Community Planning Charette/City-Owned Julia Street Property – Consider approval of the concept of an on-site community planning charette for the City-owned Julia Street property, to be held in January 2012.

**No action.**

- B. Parking Lot Lease/Coronado Community United Methodist Church – Consider the approval of entering into an agreement with Coronado Community United Methodist Church for the lease of 65 parking spaces at its property at a cost of \$500 per space, per year, plus additional costs as appropriate.

**Adopted per staff's recommendation.**

- C. Flagler Avenue Lifeguard Station Seawall – Discuss recent letter from Volusia County requesting \$120,000 in funding from the City for the design and construction of an additional 50 feet of seawall at Flagler Avenue Beach Park.

**Adopted per staff's recommendation.**

**XI. Boards and Commissions:**

- A. Code Enforcement Board – Consider the appointment a member to fill a vacant term to expire March 3, 2014.

**Sylvan McElroy appointed as a member to a term to expire March 3, 2014.**

**XII. City Manager's Report:**

**No action.**

**XIII. City Clerk's Report:**

**No action.**

**XIV. City Attorney's Report:**

**No action.**

**XV. Adjournment:**

**8:00 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 November 8, 2011, pending approval of the official minutes of the meeting.**

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**Johnny R. Bledsoe, CMC, City Clerk**



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

**SUMMARY OF ACTION**

**TUESDAY, NOVEMBER 29, 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 William Chegwin will be present and give the invocation.

**No action.**

**III. Approval of the Agenda:**

**Consent Agenda Item E, Sub-recipient Agreement/Police Athletic League, was removed from the agenda for consideration at a future meeting.**

**IV. Announcements/Presentations/Recognition:**

**No action.**

**V. Mayor and Commission Reports:**

**No action.**

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

- A. Approval of Minutes – Approve the minutes of the regular meetings held August 8 and 23, 2011, special meeting held July 27, 2011 and Budget Workshop held July 27, 2011.

**Approved with corrections to scriveners errors.**

- B. 2011/2012 Florida League of Cities Legislative Priorities – Adopt the 2011 Legislative Action Agenda from the Florida League of Cities 51st Annual Legislative Conference on November 18, 2011.

**Approved as recommended.**

- C. Annual Pistol Range Agreements – Approve entering into agreements with the Cities of South Daytona, Daytona Beach Shores and the Flagler County Sheriff’s Office, for the utilization of City pistol range facilities.

**Approved as recommended.**

- D. Bid Award/Pettis Park Sidewalk Construction – Approve entering into a contract with Astor Construction Services, Inc. for the construction of sidewalks in Pettis Park. The budgeted cost of the construction is \$55,750.02 as funded through FY 2010/2011 Community Development Block Grant (CDBG) funds.

**Approved as recommended.**

- E. Sub-recipient Agreement/Police Athletic League (P.A.L. Track Team) – Approve entering into a Sub-recipient Agreement with the Police Athletic League in order to reallocate Community Development Block Grant funds in the amount of \$5,000 from the remaining Pettis Park CDBG Funds to the P.A.L. track program.

**No action. Removed from agenda for future consideration.**

- F. License Agreement Application No. LA-5-11/2548 Crestwood Avenue – Approve entering into a License Agreement with LaNell Haughton of 2548 Crestwood Avenue, in order to allow xeriscaping within the Crestwood Avenue right-of-way, in an area that contains approximately 1,274 square feet, is zoned Single-Family Residential (R-2), and is located on the west side of Crestwood Avenue.

**Approved as recommended.**

- G. 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/4th Annual Go Dog Go – Approve the conduct of the 4th Annual Go Dog Go 5K Run, Dog Dash and Pet Walk Fundraiser to be held Saturday, January 21, 2012 from 5 am to 12 pm. The event is sponsored by the Southeast Volusia Humane Society and will perform a rolling barricade during the event only stopping traffic for runners to pass by.

**Approved as recommended.**

2. Special Event/Home Show and Business Expo – Approve the conduct of the Home Show and Business Expo to be held Saturday, January 21, 2012 from 10 am to 4 pm. The event is sponsored by the Southeast Volusia Chamber of Commerce and will be held in the downtown Canal Street area. The applicant further requests streets closures in support of the event that are the Closure of Canal Street from Riverside Drive to U.S. Highway 1; the first block of Live Oak Street adjacent to Christmas Park; also, the Chamber of Commerce parking lot. Requested closures would be from 4 am to 8 pm the day of the event.

**Approved as recommended.**

## **VII. Ordinances – Second Reading and Public Hearings:**

- A. Ordinance No. 27-11/Nuisances – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the Code of Ordinances by creating a new article entitled “Nuisance Properties”.

**Adopted as recommended.**

- B. Ordinance No. 108-11/Sign Regulations – Conduct the second and final of two required public hearings of an ordinance, which if adopted, would amend the Land Development Regulations by updating the City sign regulations. At its meeting on September 12, 2011, the Planning and Zoning Board unanimously recommended approval of the proposed ordinance.

**Adopted as recommended.**

- C. Ordinance No. 112-11/Fairmont and Westwood Avenue Paving District – Conduct the second reading and final public hearing of an ordinance, which if adopted, would establish the 2600 blocks of Fairmont and Westwood Avenue Paving District.

**Adopted as recommended.**

- D. Special Exception Application No. SE-2-11/Columbus Avenue Parking – Consider an application from the City of New Smyrna Beach, which if approved, would allow public parking on City-owned property within a residential zoning district at 305 Columbus Avenue. At its meeting on November 7, 2011, the Planning and Zoning Board unanimously recommended approval of the application.

1. Conduct a public hearing regarding the City's request to allow public parking on City-owned property within a residential zoning district at 305 Columbus Avenue.

**Denied.**

2. Temporary Parking Lot/305 Columbus Avenue – Consider approval of a temporary shell parking lot, containing 28 parking spaces, with associated landscaping and drainage improvements, for City property at 305 Columbus Avenue.

**No action. Not considered due to the denial above.**

#### **VIII. Public Participation:**

**No action.**

#### **IX. Ordinances – First Reading:**

- A. Annexation: Strahman/1569 Lewis Lane – Conduct the first reading of the following ordinances, which if adopted, would annex, and assign City land use and zoning of approximately 5.32 acres generally located south of Lewis Lane, between Raylyn Drive and White Street at 1569 Lewis Lane, as requested by Peggy Strahman, owner.
1. Ordinance No. 113-11 – Annexing approximately 5.32 acres generally located south of Lewis Lane, between Raylyn Drive and White Street at 1569 Lewis Lane.
  2. Ordinance No. 114-11 – Amending the Comprehensive Plan by changing land use on approximately 5.32 acres generally located south of Lewis Lane, between Raylyn Drive and White Street at 1569 Lewis Lane from Volusia County Rural to City Rural land use designation.
  3. Ordinance No. 115-11 – Rezoning approximately 5.32 acres generally located south of Lewis Lane, between Raylyn Drive and White Street at 1569 Lewis Lane from Volusia County Rural Agriculture (A-2) to City Agriculture (A-2) zoning classification.

At its meeting on November 7, 2011, the Planning and Zoning Board, acting as local planning agency, voted unanimously to adopt the proposed ordinances.

**All three ordinances were approved on first reading. The second reading and final public hearing was scheduled for the regular meeting on December 13, 2011.**

- B. Ordinance No. 116-11/ Fire Pension Plan Restatement – Conduct the first reading of an ordinance, which if adopted, would amend and restate the City Firefighters’ Retirement System.

**Approved on first reading. The second reading and final public hearing was scheduled for the regular meeting on December 13, 2011.**

- C. Ordinance No. 117-11/ Utilities Commission Series 2011 Revenue Certificates – Conduct the first reading of an ordinance, which if adopted, would approve the issuance by the Utilities Commission, City of New Smyrna Beach, of Utilities System Revenue Certificates in an aggregate principal amount not exceeding \$9,100,000.

**Approved on first reading. The second reading and final public hearing was scheduled for the regular meeting on December 13, 2011.**

- D. Ordinance No. 118-11/Budget Amendment – Conduct the first reading of an ordinance, which if adopted, would amend Ordinance No. 98-11, current expenses and capital outlay required by the City of New Smyrna Beach, during the fiscal year ending September 30, 2012.

**Approved on first reading as amended to removed the appropriation of \$50,000 for a proposed temporary parking lot on City property on Columbus Avenue. The second reading and final public hearing was scheduled for the regular meeting on December 13, 2011.**

#### **X. Administrative Items/New Business:**

- A. Resolution No. 46-11 – Consider adoption of a resolution amending fee policies for the Building Department, Building Department Fee Schedule and Administrative Fee Schedule.

**Adopted as recommended.**

- B. Resolution No. 47-11 – Consider adoption of a resolution authorizing the City Manager to execute an application to Volusia ECHO Program for grant moneys to fund the purchase of approximately 30 acres of property located on Pioneer Trail and Otter Boulevard for use as a trailhead for the multi-use trail.

**Adopted as recommended.**

- C. Andrews Street – Consider approval of making Andrews Street one way from U.S. Highway 1 east to Orange Street, as requested by the Department of Transportation due to safety concerns associated with the S.R. 44 and U.S. Highway 1 Intersection Improvement Project.

**Approved as recommended.**

- D. Lease Agreement/Halifax Urban Ministries – Consider approval of entering into a four-month lease with Halifax Urban Ministries for lease of City property on Julia Street. If approved, the facility will be utilized for food pantry with distribution to individual clients, administrative office with meetings for individual clients, and receipt and storage of items for distribution to clients.

**Approved a 60-day lease with authority granted the City Manager to grant an additional 60 days at her discretion. Also, approved hours of operation of 8:00 a.m. to 5:00 p.m.**

#### **XI. Boards and Commissions:**

- A. Fire Pension Board – Accept the election results for a regular member to represent fire department employees, for appointment to a two-year term to expire November 1, 2013.

**Accepted and approved the election results naming Tom Lee as Fire Department representative to the Fire Pension Board to a two-year term to expire November 1, 2013.**

**XII. City Manager's Report:**

**Approved the demolition of two small gazebos located at the north and south ends of the Flagler Boardwalk.**

**XIII. City Clerk's Report:**

**No Action.**

**XIV. City Attorney's Report:**

**Approved the addition of the language to CRA Grant Criteria, limiting those receiving grants from the CRA to those who are not officers or employees of the City of New Smyrna Beach, and/or the New Smyrna Beach Community Redevelopment Agency.**

**XV. Adjournment:**

**9:20 p.m.**



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



## Status Report of CRA Construction Projects

December 7, 2011

### Mary Ave Streetscape Project – N Myrtle Avenue to US1:

Phase I is now complete and included amenities such as:

- 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 of the street 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

### Esther St Park Improvements Project:

This project will be constructed in 3 phases including reconstructing the seawall, stormwater improvements to the area, and a new park facility.

#### Progress to date:

- The seawall project was awarded to SE Cline Construction for \$248,325 and will be completed by the end of April 2012
- The design for the new stormwater features and park facility are nearing completion.

### Flagler Boardwalk Improvements Project:

The project was awarded to AG Pifer for \$899,495, expected to be complete by the end of April 2012, and includes amenities such as:

- Refurbished seawall and new cap
- New restroom facilities
- Refurbished pavilion
- Parking lot improvements with curbing and landscaping

#### Progress to date:

- The existing restrooms have been demolished
- The refurbishing of the pavilion is in progress

**Riverside Park Improvements Project:**

The City received bids for this project and is expected to be awarded to C&L Landscaping for \$912,725 at the December 13, 2011 City Commission Meeting. This project includes amenities such as:

- Refurbished seawall
- Floating Docks
- New wood boardwalk and sidewalks
- New park lighting

**Washington St Streetscape – N Myrtle Ave to US1:**

The design for this project is nearing completion and the project will include amenities such as:

- Complete reconstruction of the stormwater system
- Complete reconstruction of the roadway with new curb
- New 5 FT sidewalks on both sides of the street
- Landscaping and irrigation
- Decorative streetlights

# CRA Commissioner Request Tracking Report

Type of Request	Received on	Completed by	Findings
clarification on funding event insurance and special events in general	10/5/2011		CRA Attorney has researched this topic
erect signage identifying the Cormeth lot at public City/CRA parking; directional signage	11/2/2011		Signage to be ordered
draft signage plan	11/2/2011		3 signs: Peninsula & Flagler; Peninsula & Cooper, Church lot entrance
clear vegetation on Flagler to make lot more visible	11/2/2011		lot to be kept as-is, but if vegetation is in ROW clearing should be ok.
delineate parking on Washington (along Old Fort Park)	11/2/2011		CRA Staff has reviewed site and will order space delineation