



Parks and Recreation Board Meeting

Wednesday, May 31, 2023 at 6:00 pm

1. CALL TO ORDER, PRAYER AND PLEDGE
2. ROLL CALL
3. ADDITIONS/DELETIONS/CHANGES
4. CONSENT AGENDA

- a. **Approval of 03/15/2023 Minutes**
Exhibit: Agenda Report Number 4a

Attachments:

- **Agenda Report Number 4a** (Agenda_Report_Number_4a.pdf)

5. PUBLIC COMMENTS
6. ACTION ITEMS

- a. **Approve Florida Community Trust (FCT) Grant Amendment**
Exhibit: Agenda Report Number 6a

Attachments:

- **Agenda Report Number 6a** (Agenda_Report_Number_6a.pdf)

7. DISCUSSION
8. OLD/NEW BUSINESS
 - a. Board Member Reports
 - b. Staff Reports
 - c. Next Scheduled Meeting - 06/21/2023
9. ADJOURNMENT

Contact: Richard W. Kohler (rkohler@townofmalabar.org (321)-727-7764) | Agenda published on 05/26/2023 at 2:48 PM

TOWN OF MALABAR

PARKS AND RECREATION BOARD MEETING

AGENDA ITEM NO: 4.a
Meeting Date: May 31st, 2023

Prepared By: Richard W. Kohler, Town Clerk

SUBJECT: Approve Minutes of 03/15/2023

BACKGROUND/HISTORY:

- a. Summary of Actions at the Parks and Recreation Board Meeting of 03/15/2023.

ATTACHMENTS:

- a. Draft Minutes of Parks and Recreation Board Meeting of 03/15/2023.

ACTION OPTIONS:

- a. Request Approval

The following draft minutes are subject to changes and/or revisions by the Park Board and shall not be considered the official minutes until approved by the Park Board.

**TOWN OF MALABAR – PARKS AND RECREATION ADVISORY BOARD
MARCH 15th, 2023, MEETING MINUTES**

This meeting of the Malabar Parks and Rec Board was held at Town Hall at 2725 Malabar Road. It was called to order by Chair Bienvenu at 6:00 pm. Prayer and pledge were led by Chair Bienvenu.

1. CALL TO ORDER, PRAYER, AND PLEDGE

2. ROLL CALL

Chair	Eric Bienvenu - Present
Vice-Chair	Vicky Thomas – Present
Members	Jennifer Bienvenu – Present
	Hans Kemmler - Present
	Evan Hall – Present
Recording Secretary	Richard Kohler – Present

3. ADDITIONS/DELETIONS/CHANGES: NONE

4. CONSENT AGENDA

a) Approval of Minutes of 2/15/2023

MOTION: Thomas/Bienvenu to accept the minutes of 2/15/2023 as presented.

VOTE: All Ayes

5. PUBLIC COMMENTS

6. ACTION ITEMS:

7. DISCUSSION:

a. FCT Grant Agreement Amendment

Secretary Kohler gave a brief overview of the history of the project. BM Kemmler asked if the group would prefer any of the options? General agreement is option 1 is the best, but is expensive. The Pavilion contractor has not given us the final quote, but we will use that to

BM Kemmler/BM Beinvenu moves to use option 1 if it is cost effective, and option 3 if the pavilion quote is more expensive.

b. Motorized Vehicles on Trails

Secretary Kohler informed the board of his research on this issue and requested Board direction. VC Thomas verified that in FL you must wear a helmet on an ebike. BM Kemmler asks if the board believes this is an issue worth our action? VC Thomas states her issue is with true motorcycles. BM Kemmler suggests outlawing combustion engines. He also states he would be fine leaving it as is for now. BM Hall states he believes it is not a big issue now. BM Beinvenu agrees. VC Thomas states there has been an increase of motorcycles in the area. BM Hall suggested calling Palm Bay to see what their rules are. BM Kemmler states we should leave it as is. BM Hall states the only speed limit on record is 5 mph in the park.

8. OLD/NEW BUSINESS:

a) BOARD MEMBER/STAFF REPORTS:

- Richard E. Cameron & Volunteers Wilderness Preserve – VC Thomas thanked the Public Works crew for keeping the area clean. There has been a lot of people out there, and the signs are a big hit.
- Disc Golf Sanctuary – BM Kemmler states the park is doing great. The turtles are all over the place. The summer pins will be installed soon. Now that the Malabar Madness event is over, they would like to have the pile of debris removed. He would be happy to assist in that process.
- Thomas Eschenberg Memorial Conservation Area –
- Malabar Community Park – BM Bienvenu states the oak trees planted a few years ago are looking fantastic. Pavilions are looking good. BM Hall has received complaints about people sleeping in Malabar Park. He has looked and not seen anything. His son’s Cub Scout Troop used the park for a Cross Over Ceremony and had an excellent time.
- Sandhill Trail Head – BM Hall states the park has been quiet.

b) Staff Reports – None

c) Next Scheduled Meeting

- April 19th, 2023, 6 PM

10. ADJOURNMENT

There being no further discussion. **MOTION: Thomas/Kemmler motion to adjourn the meeting**
VOTE: All Ayes. This meeting adjourned at 6:59 pm.

By:

Eric Bienvenu, Chair

ATTEST:

Richard W. Kohler
Recording Secretary

Date Approved: _____

NOTE: THERE MAY BE ONE OR MORE MALABAR ELECTED OFFICIAL ATTENDING THIS MEETING

If an individual decides to appeal any decision made by this board with respect to any matter considered at this meeting, a verbatim transcript may be required, and the individual may need to ensure that a verbatim transcript of the proceedings is made (Florida Statute 286.0105). The Town does not provide this service. In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the Town’s ADA Coordinator at 321-727-7764 at least 48 hours in advance of this meeting.

TOWN OF MALABAR

PARKS AND RECREATION BOARD MEETING

AGENDA ITEM NO: 6.a
Meeting Date: May 31st, 2022

Prepared By: Richard W. Kohler, Town Clerk

SUBJECT: Approve Florida Community Trust (FCT) Grant Amendment

BACKGROUND/HISTORY:

- a. Florida Communities Trust (FCT) awarded Malabar \$40,445.00 in restricted funds for the transfer of the property formerly known as Fern Creek Park.
- b. In April of 2022, an agreement was signed by the Town that required the following enhancements be provided at FCT properties around Town:
 - a. New Pavilion.
 - b. Bird Watching Platform/Deck.
 - c. Two Foot Bridges.
 - d. New Plant and Wildlife Identification Signs.
 - e. Dog Park Area.
- c. It has been determined that the funding provided would be inadequate to accomplish all of the above-listed tasks.
- d. The Parks and Recreation Board has selected and made a recommendation to Council to purchase a pavilion for Eschenberg Park.
 - a. Updated Quote for Pavilion was \$39,999.00.
 - b. That leaves \$446.00 for other projects.
- e. At the March 15th meeting, the Board voted unanimously to support the building of a foot bridge in the Disc Golf Sanctuary. The Board voted for the first option if it is cost effective, and the third option if finances are tight. Staff would like to recommend the third option be utilized.

ATTACHMENTS:

- a. Draft Grant Amendment
- b. Original Signed Agreement With FCT
- c. Email from FCT Employee to TM Stinnett
- d. Updated Quote for Pavilion.
- e. Estimates for Foot Bridge

ACTION OPTIONS:

- a. Recommend approval of amendment to Council.

Florida Communities Trust Grant Agreement Amendment

On April 29th, 2020, the Town of Malabar, and the Florida Communities Trust (FCT) reached an agreement to transfer the Fern Creek Park back to the state for future SR 514 improvements. The FCT awarded the Town \$40,445.00 for improvements that had been made to Fern Creek Park, with the understanding that the funds would be used for specific improvements in FCT Properties, such as a new pavilion, a bird watching platform, two-foot bridges, new plant and wildlife identification signs, and a dog park. Staff has found that the allotted funds are not sufficient to accomplish all of these goals. In communication with FCT, Staff was directed to create a new plan for spending the allotted funds, to include a list of improvements, a brief description of the improvements, an estimated completion date, and a dollar amount. The three parks in Malabar that were initially funded by the FCT are the Cameron Preserve, the Malabar Disc Golf Sanctuary, and Eschenberg Park. In past meetings, the Parks and Recreation Board has discussed what improvements could be made using these funds.

1. Pavilion at Eschenberg Park.
 - a. Steelworx Shelter, 12'x24'.
 - b. Currently there is only a bench in Eschenberg Park. The Committee's hope is that adding a pavilion to the park may increase its use for community events.
 - c. Quoted at \$39,999.00.
 - d. Expected Completion Date: 12/2023.
2. Foot Bridge in Malabar Disc Golf Sanctuary.
 - a. 40' x 4' elevated path crossing a depression marsh from the Basket of Hole # 8 to the Tee Box of Hole #9, and the Basket of Hole #10 to the Tee Box of Hole #11.
 - b. Provide an improved flow of the course and create a picturesque path to view the depression marsh.
 - c. Quoted at \$676.02.
 - d. Expected Completion Date: 10/2023

Total funds expended: \$40,675.02.

Total FCT funds expended: \$40,445.00.

Total General Funds expended: \$230.02.

Expected Completion Date for all Projects: 12/2023.

Record & Return to:
Town of Malabar
2725 Malabar Road
Malabar, FL 32950-4427

FCT Project Number: 96-019-P7A
Project Name: Malabar Sanctuary Greenway
CSFA Number: 37.078

AMENDED GRANT AWARD AGREEMENT

This agreement is entered into this 29 day of April, 2020, between the FLORIDA COMMUNITIES TRUST ("FCT"), a nonregulatory agency within the Florida Department of Environmental Protection ("Department"), and the TOWN OF MALABAR, a political subdivision of the State of Florida ("Recipient"). This agreement imposes terms and conditions on the use of proceeds from the taking of certain property, purchased by the Town of Malabar with funds from a FCT grant, by the Florida Department of Transportation. These terms and conditions are necessary to ensure compliance with applicable Florida law, federal income tax law, and to implement provisions of Chapters 253, 259, and 380, Florida Statutes.

Whereas, Chapter 380, Part III, Florida Statutes, the Florida Communities Trust Act, creates a nonregulatory agency within the Department of Environmental Protection to assist local governments in complying with and implementing the conservation, recreation and open space, and coastal elements of their comprehensive plans, to conserve natural resources, and to resolve land use conflicts by providing financial assistance to local governments to carry out projects and activities authorized by the Florida Communities Trust Act;

Whereas, in 1999 the Town of Malabar acquired three parcels with funds provided through the Florida Communities Trust (award number 96-019-P7A);

Whereas, the FCT imposed conditions on the funding for those parcels in accordance with Rule 62-817.013, F.A.C., including a provision that if a portion of the Project Site was taken by a governmental body through the exercise or the threat of eminent domain, the Recipient was required to deposit the condemnation award with the FCT, who would make those funds available to the Recipient to replace, restore, or repair the site;

Whereas, in 2019 the FCT approved the terms under which a portion of the Project Site was subsequently transferred to the Florida Department of Transportation and FCT received the condemnation award from the Florida Department of Transportation to hold in trust for the Town of Malabar;

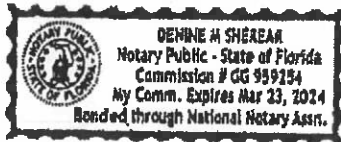
Whereas, the Town of Malabar has proposed, and the FCT has approved, a plan to enhance the remainder of the Project Site with the funds from the condemnation award;

Now, therefore, the Grant Award Agreement for award number 96-019-P7A, recorded in the Official Records of Brevard County, Florida, at book number 3975, page 2450, is hereby amended to remove Parcel Number 29-37-02-00-72 from the restrictions placed upon it in the original agreement. Parcel Number 29-37-02-00-72 is more particularly described as:

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 29 day of April, 2020, by Patrick T. Kelly as Council Chair for the Town of Malabar, who is personally known to me or who has produced N/A as identification.

SEAL



Denise M Shereea
Notary Public, State of Florida

Denise M Shereea
Printed Name

My Commission Expires: Mar 23, 2024
Commission No.: GG 959254

FLORIDA COMMUNITIES TRUST

By: Callie DeHaven
Chair

Date: _____

Approved for Form and Sufficiency:

Digitally signed by Lois La Seur
8eur
Date: 2020.05.14
09:22:33 -0400
By: Lois La Seur
Lois La Seur, Trust Counsel

David Lee Fewell
Witness Signature

DAVE FEWELL
Printed Name

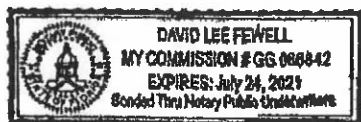
Clinton H Grimes
Witness Signature

CLINTON H GRIMES
Printed Name

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 19th day of MAY, 2020, by Callie DeHaven, as Director, Division of State Lands, who is personally known to me or who has produced _____ as identification.

SEAL



David Lee Fewell
Notary Public, State of Florida

Printed Name

My Commission Expires: _____
Commission No.: _____

The East 200 feet of the North one-quarter of Lot 32, Section 2, Township 29 South, Range 37 East, PLAT OF FLORIDA INDIAN RIVER LAND COMPANY SUBDIVISION, as recorded in Plat Book 1, Page 165, Public Records of Brevard County, Florida, LESS the North 35.0 feet and the East 35.0 feet for road, utility, and drainage right of way and subject to easements and road rights of way of record.

The remaining parcels subject to the restrictions in the Grant Award Agreement recorded in the Official Records of Brevard County, Florida, at book number 3975, page 2450 will remain encumbered by the covenants and restrictions set forth in that Agreement.

In addition, the Town of Malabar is required to use the condemnation award in the amount of \$40,445.00 for the following enhancements to the remainder of the Project Site:

- New pavilion;
- Bird watching platform/deck;
- Two foot-bridges;
- New plant and wildlife identification signs and
- Dog park area (fencing, water source, trash receptacles).

Failure to use the condemnation award on the facilities described above will constitute a default under the original Grant Award Agreement and this Amendment.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Chair, the date first above written.

RECIPIENT: TOWN OF MALABAR,
a Florida local government

Debbie Franklin
Witness Signature

By: Patrick T. Reilly
Chair Patrick T. Reilly

Debbie Franklin
Printed Name

Date: April 29, 2020

Debbie K. Franklin
Witness Signature

Approved for Form and Sufficiency:

Debbie K. Franklin
Printed Name

By: Karl W. Bohne, Jr.
Karl W. Bohne, Jr.

From: Bibby, Bill Bill.Bibby@FloridaDEP.gov

Subject: RE: Malabar Grant

Date: November 4, 2022 at 9:46 AM

To: Matt Stinnett TownManager@townofmalabar.org

Cc: Reeves, Linda Linda.Reeves@FloridaDEP.gov, McMahon, William William.McMahon@FloridaDEP.gov, Roaza, Erin Erin.Roaza@FloridaDEP.gov, LaSeur, Lois Lois.LaSeur@FloridaDEP.gov, Jones, Ramsey L Ramsey.L.Jones@FloridaDEP.gov

Good Morning Matt:

I have researched our files to get background on this issue. I do see a way forward.

But first, a brief discussion of the amended grant agreement. By virtue of the fact that the five improvements are expressly stated in the amended agreement, FCT considers that list to be a commitment on the part of the Town. To state clearly, the five improvements are required elements of the amended agreement. Thus, the Town would be obligated to complete all five facilities.

Given the costs involved and the fact that the Town Council has already taken the dog park off the table, it is clear that an amendment to the Amended Grant Agreement is necessary. Before we can begin drafting an amendment, we need to come to agreement on a more detailed list and description of improvements to be funded by the \$40,445 FDOT payout. Please provide a revised list of improvements, including a brief description of the improvement, an estimated date (month and year) of completion for the element and a dollar amount. Include any backup documents that you think necessary, such as the estimate on the pavilion. Also include a conceptual site plan showing the location of the improvements. Make certain this list exhausts the \$40,445 payout.

FCT will review the proposed list of improvements. We may (or may not) have comments or suggestions on the revised list. Once FCT approves the list, we will draft an amendment for execution.

We look forward to working with you to bring this issue to resolution. Let me know if you have questions

Thank you.



Bill Bibby, FCCM

Florida Department of Environmental Protection
Division of State Lands/Florida Communities Trust
Planner IV

Bill.Bibby@FloridaDEP.gov

FloridaCommunitiesTrust@FloridaDEP.gov

Office: 850-245-2783

From: Matt Stinnett <TownManager@townofmalabar.org>

Sent: Thursday, November 3, 2022 2:50 PM

To: Bibby, Bill <Bill.Bibby@FloridaDEP.gov>

Cc: Reeves, Linda <Linda.Reeves@FloridaDEP.gov>

Subject: Malabar Grant

TOWN OF MALABAR

COUNCIL MEETING

AGENDA ITEM NO: 12.i.
Meeting Date: September 14, 2021

Prepared By: Debby K. Franklin, C.M.C., Town Clerk/Treasurer

SUBJECT: Amended Florida Communities Trust (FCT) Grant Requirements re: Fern Creek

BACKGROUND/HISTORY:

This requirement just recently came to our attention. Staff had the understanding that when the transfer of the conservation land known as Fern Creek was done between the State DEP agency to the State DOT agency the Town was compensated for the improvements it made at the site.

Apparently, there was a series of activities that involved the three affected parcels that occurred over a period of time from 2019 until now.

- 3/2019: dealing with the State DOT on identifying the ROW needed for the intersection improvements and executed resolutions stating the property was no longer needed for Town purposes.
- 6/2019 Received Purchase Agreement and closing statement on Fern Creek. Got executed copies from State DOT.
- 10/2019 TM Matt sent memo to Park and Recreation Board advising them of the upcoming \$40,445.00 in funds from the sale and asked for input on how to spend on FCT property improvements. No action resulted from this Park Board meeting and there was no follow up at Council.
- 4/2020 the Town executed an Amended Grant Award Agreement that committed the Town to spending the funds on five specific enhancements on the remaining FCT properties. This agreement was then filed in with the resolutions done in 2019 and forgotten about.
- 6/2020 Town received notice that the \$40,445.00 was received from the State DEP
- 6/2020 TM Matt got email from State DEP asking for status of timeline for the added enhancements.
- 12/2020 Town receives acknowledgement of the annual Stewardship Report from the State DEP with no reference to the new requirement enhancements.
- 6/2021 TM Matt got an email from State DEP asking for a copy of the recorded Amended Grant Award Agreement. Town found it in file, but it was not recorded. Town got it recorded with assistance of Attorney Bohne and provided to the State DEP. State DEP is now requiring a timeline for these enhancements to be complete, and they were never formally approved of by Council.

FINANCIAL IMPACT: \$40,445.00 we received and put in unrestricted Fund Balance for Park and Trail use now must be allocated to a restricted for specific improvements only on FCT property. So, these funds can't be used in the Malabar Community Park, or for the refurb of the historical house in front of the Fire Station or at the Eagle Next Trailhead. All of these projected were seeking use of these funds.

ATTACHMENTS:

Email thread from 2020-2021
Amended Grant Agreement

ACTION OPTIONS:

No Action Requested at this time – Discussion for record

Re: Amended Grant Award Agreement - 96-019-P7A (Malabar Sanctuary Greenway)

Debby Franklin <townclerk@townofmalabar.org>

Tue 8/24/2021 2:30 PM

To: Matt Stinnett <TownManager@townofmalabar.org>

Cc: Lisa Morrell <LMorrell@townofmalabar.org>; Richard Kohler <rkohler@townofmalabar.org>; Dorothy Carmel <dcarmel@townofmalabar.org>

1 attachments (104 KB)

FCT imp.pdf;

The partial release is recorded we did that in 9/2019.

The 5th "Whereas" in the amended Grant award Agreement:

Whereas, the Town of Malabar has proposed, and the FCT has approved, a plan to enhance the remainder of the Project Site with the funds from the condemnation award;

I thought we were being paid the 40K for the land value and the basic improvements we made to Fern Creek. I guess we never really read the Grant award. I have not known about plans to spend the money on specific items in FCT property (Cameron Preserve, Golf Disc and Eschenberg Preserve) such as Rita listed in the 6/1/2020 email. The "Whereas" statement doesn't specifically list those items in her email. Is there a document where council committed to this?

The Oct 2020 Stewardship Report did not reference any of these items and Rita reviewed the report and approved it in Dec 2020 without mention of these additional requirements.

I think we can claim the new platform in the Cameron Preserve for both the pavilion and the bird watching platform. T&G has done foot bridges within conservation areas that connect to FCT land. Richard said they also did some smaller ones in Cameron Preserve that he will get pictures of. The gazebo at the Golf Disc Preserve could also be credited to the pavilion requirement. The Town has also upgraded the parking area in both the Disc Golf and the Cameron Preserve.

T&G also created a QR code on signage and on business cards to locate where people are in the FCT property - maybe they can expand on that to create general plant information found within these areas.

There is no Council support for a dog park. There are several in surrounding communities that can provide drinking water. The only potable water we have it at the SandHill Trailhead which is not FCT property. Dogs are allowed on leashes in all Town Public land but with no city water the likelihood of being able to provide a drinking water source is slim. We also don't have regular Park staff to provide daily maintenance of a dedicated "dog Park" which would be needed for the pet waste.

I have attached some ideas from Drew to Park Bd but they are for going forward - not the 40K.

We will include additional references to these improvements in the next annual report (due 10/2021) - I don't know who is going to respond to Rita regarding this.

Debby K. Franklin

Certified Municipal Clerk

Town Clerk Treasurer

townclerk@townofmalabar.org

321-727-7764



Town of Malabar
2725 Malabar Road
Malabar, FL 32950

On Aug 31, 2021, at 2:38 PM, Ventry, Rita <Rita.Ventry@floridadep.gov> wrote:

Matt – Now that we have the Amended Grant Agreement recorded and back to FCT, I still need an answer to the questions below which I have highlighted. Please respond by September 7, 2021 as to whether or not they have been developed. You may just notate in red below if the element has been completed and when. If not developed, you still have until September 23 to return the timeline for which they will be built.

Thanks in advance.

Rita Ventry

From: Matt Stinnett <TownManager@townofmalabar.org>
Sent: Tuesday, September 7, 2021 5:01 PM
To: Ventry, Rita <Rita.Ventry@FloridaDEP.gov>
Cc: Lisa Morrell <LMorrell@townofmalabar.org>
Subject: Re: Amended Grant Award Agreement - 96-019-P7A (Malabar Sanctuary Greenway)

Hey Rita,

As of now I don't believe any of the below items have been completed. With covid and my absence this project has taken a back seat on the priority list. I believe we can accomplish a couple of the smaller projects and develop a solid design/plan for accomplishing a couple of the larger items this coming year.

I have put some dates next to them as to when I believe we can accomplish the construction. In regards to the dog park, this list was originally put together rapidly in order to settle everything for the FDOT project and I have some concerns on the feasibility of that item. I would like to look into it a little deeper before saying it is unfeasible, but would it be possible to amend the agreement and replace that item with other assets at a later time?

Also, has the Town developed out the required elements with \$40K from the FDOT condemnation award? If not, please give us a timeline within the next 30 days by which they will be developed. These facilities are listed below:

- o New pavilion FY 2023
- o Bird watching platform/deck FY 2023
- o Two foot-bridges FY 2022
- o New plant and wildlife identification signs FY 2022
- o Dog park area (fencing, water source, trash receptacles) FY 2024

Best Regards,
Matthew R Stinnett, MPA
Town Manager



Town of Malabar
2725 Malabar Road
Malabar, FL 32950

*

On Apr 27, 2020, at 1:55 PM, Ventry, Rita <Rita.Ventry@dep.state.fl.us> wrote:

Matt – Please find the attached Amended Grant Award Agreement for execution by the Town. This document will be used as a means of reimbursing the Town with the \$40,445.00 awarded for the Condemnation of a portion of Malabar Sanctuary Greenway FCT project. It also states the requirements for the funds to be utilized for.

Please return the executed document back to us no later than May 11, 2020. This is necessary to have the funds reimbursed to the Town around the first of June. If you have any questions, please feel free to contact me via email. Thanks!

*NO COUNCIL MTGS
MAR 15, APR 5, APR 19
or MAY 18, 2020*

Rita Ventry

Rita Ventry, FCCM
Planner IV, Division of State Lands
Florida Communities Trust
Florida Department of Environmental Protection
3800 Commonwealth Boulevard, MS 585
Tallahassee, Florida 32399-3000
Rita.Ventry@FloridaDEP.gov
Office: 850.245.2683
<https://floridadep.gov/lands/land-and-recreation-grants/content/fct-florida-communities-trust-home>

*Town Executed
& SENT BACK.*

*

From: Matt Stinnett <TownManager@townofmalabar.org>
Sent: Monday, April 27, 2020 2:46 PM
To: Ventry, Rita <Rita.Ventry@dep.state.fl.us>
Subject: Re: Amended Grant Award Agreement - 96-019-P7A (Malabar Sanctuary Greenway)

Received, I'll get this back to you.

Best Regards,
Matthew R Stinnett
Town Manager

From: Ventry, Rita <Rita.Ventry@FloridaDEP.gov>

Sent: Monday, August 23, 2021 9:38 AM

To: Matt Stinnett <TownManager@townofmalabar.org>

Subject: FW: Amended Grant Award Agreement - 96-019-P7A (Malabar Sanctuary Greenway)

Good Morning Matt – This is a follow up on the recorded amendment to the Grant Award. Due to the shut down during COVID I think this just fell through the cracks but I cannot find a copy of the recorded document if you sent it back to me. Could you please send me a copy for our files. It was due by June 19, 2020. I apologize if I have overlooked where you sent it to me, but if you can resend that would be great.

Also, has the Town developed out the required elements with \$40K from the FDOT condemnation award? If not, please give us a timeline within the next 30 days by which they will be developed. These facilities are listed below:

- o New pavilion
- o Bird watching platform/deck
- o Two foot-bridges
- o New plant and wildlife identification signs
- o Dog park area (fencing, water source, trash receptacles)

If you have any questions or concerns, please let me know.

Thanks in advance.

Rita Ventry

<image001.png>

Rita Ventry, FCCM
 Planner IV, Division of State Lands
 Florida Communities Trust
 Florida Department of Environmental Protection
 3800 Commonwealth Boulevard, MS 585
 Tallahassee, Florida 32399-3000

No interim communication? From May 2020 to August 2021?

From: Ventry, Rita <Rita.Ventry@dep.state.fl.us>

Sent: Thursday, May 21, 2020 12:54 PM

To: Matt Stinnett <TownManager@townofmalabar.org>

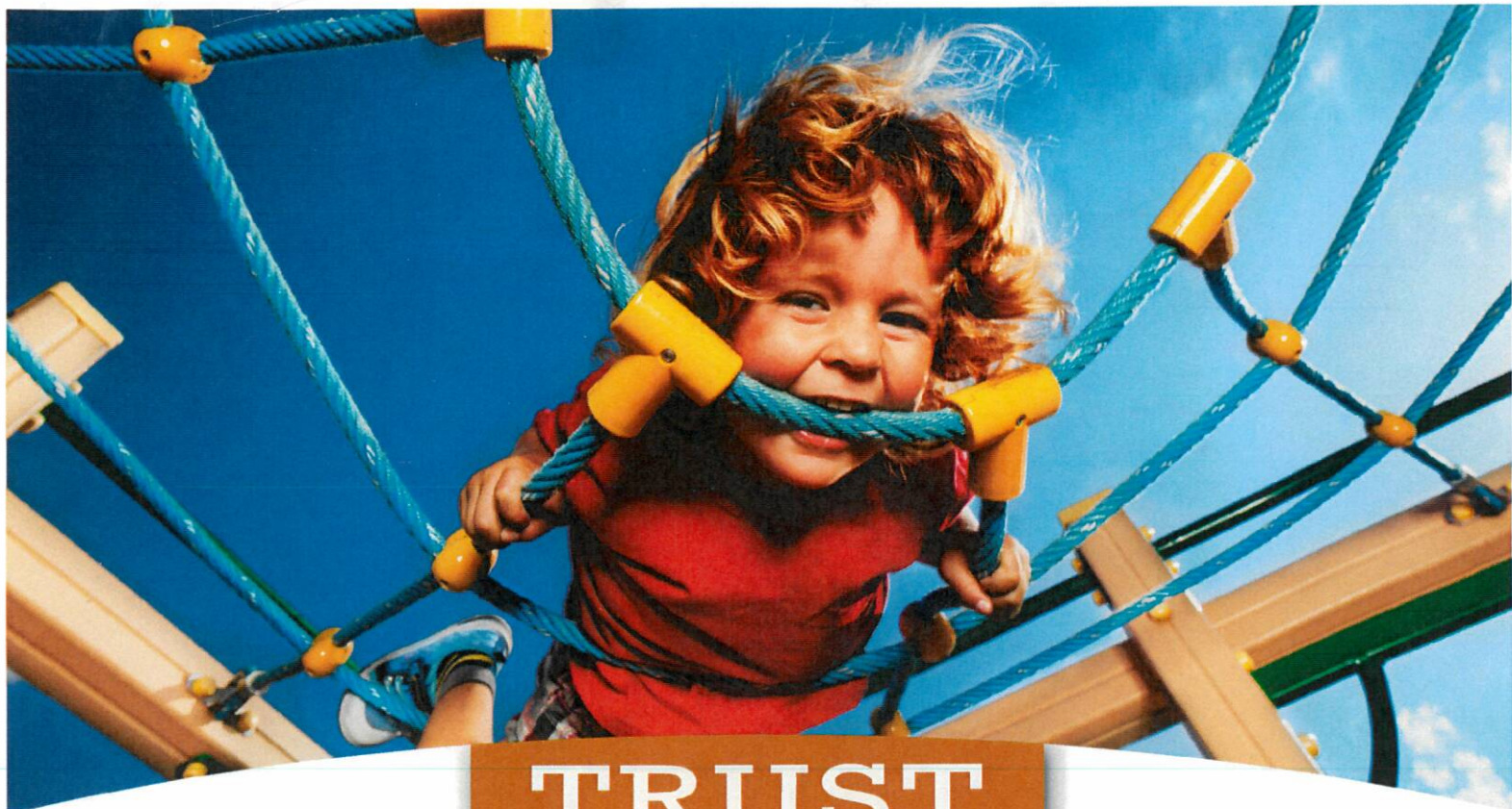
Subject: RE: Amended Grant Award Agreement - 96-019-P7A (Malabar Sanctuary Greenway)

Matt – Hope you are doing well. Please see attached the executed amended Grant Award Agreement. Please have it recorded and a copy of the recorded document returned to us no later than June 19, 2020.

TOWN DID NOT RECORD 4/21/2021

If you have any questions or concerns, please let me know. We are still working remotely from home, but I can be reached through my email. Thank you!

Rita Ventry



TRUST — the — EXPERTS

For over a decade, our customers have entrusted us to provide safe and affordable playground and recreational equipment. Our team of Certified General Contractors and Playground Safety Inspectors will insure that your project is completed to perfection, providing truly turnkey service, with every step of the process from planning and budgeting, through the installation being handled under one roof.



1-800-573-7529 | www.proplaygrounds.com



Pro Playgrounds
8490 Cabin Hill Road
Tallahassee, FL 32311

Quote

Date	Estimate #
4/14/2023	19180

Project Name
Malabar Pavilion



WE WILL BEAT ANY PRICE BY 5%!

Customer / Bill To
Town of Malabar Richard Kohler 2725 Malabar Rd. Malabar, FL 32950

Ship To
Town of Malabar Richard Kohler 2725 Malabar Rd. Malabar, FL 32950

Item	Description	Qty	Cost	Total:
CSSD	**SHELTER** Steelworx Shelter, 12x24 GABLE style with 8'eave, 4:12 pitch, powdercoated, 24ga multirib roofing, 4 columns	1	14,492.75	14,492.75
ENGDRAW	Engineered Drawings for Permitting	1	1,020.00	1,020.00
Shipping	Combined Shipping and Freight Charges	1	4,798.80	4,798.80
RMC	**Raw Materials** Ready Mix Concrete 2500 PSI MIN	7	195.00	1,365.00
RBAR5	No. 5 Rebar	300	1.75	525.00
FLIFTDAY	**Labor and Installation** Telescopic Fork Lift Daily Rental	1	1,308.10	1,308.10
DELFFEE	Equipment Delivery / Pick Up Fees	1	300.00	300.00
LBR	Labor and Installation	1	16,689.38	16,689.38
PT	Portable Toilet	1	150.00	150.00
TRSH	Fees for dumpsters, debris hauling or other trash/materials removal including spoils from excavations.	1	725.00	725.00
ISPERMIT	PERMIT - STATE OF FLORIDA - COST NOT INCLUDED IN PRICE, COST SHALL BE \$2000 OR 5% OF TOTAL PROJECT COST, WHICHEVER IS GREATER. PRICE DOES NOT INCLUDE COST OF ENGINEERING OR SEALED DRAWINGS.	1	1,500.00	1,500.00

AGREED AND ACCEPTED:
If the above total price, scope of work, specifications, terms and conditions are acceptable, sign below indicating your acceptance and authorization for Pro Playgrounds to proceed with the work and/or sales transaction described in this quotation. Upon signature and payment in accordance with this quote, Pro Playgrounds will proceed with the work and/or sales transaction.

_____/_____/_____
Signature Name / Title Date

Subtotal:
Sales Tax: (7.5%)
Total:

Terms and Conditions - Price valid for 30 days and subject to change. 1. If installation is not included with your purchase, client will be responsible for coordinating, receiving and unloading of all goods, delivery drivers will not help unload goods. 2. Client will be responsible to inspect goods for defect, damage or missing parts, any deficiency or missing parts must be noted on delivery slip. 3. Client will be responsible for costs due to cancelled or missed delivery appointments. 4. Client has reviewed all items, colors and descriptions on this quote for accuracy and correctness. 5. If quote includes installation of goods, the installation is subject to the terms and conditions of Pro Playgrounds "Standard Installation Agreement" a copy of which may be obtained from your Sales Representative.



Pro Playgrounds
8490 Cabin Hill Road
Tallahassee, FL 32311

Quote

Date	Estimate #
4/14/2023	19180

Project Name
Malabar Pavilion



Customer / Bill To
Town of Malabar Richard Kohler 2725 Malabar Rd. Malabar, FL 32950

Ship To
Town of Malabar Richard Kohler 2725 Malabar Rd. Malabar, FL 32950



WE WILL BEAT ANY PRICE BY 5%!

Item	Description	Qty	Cost	Total:
DSC	Discount		-2,875.03	-2,875.03

AGREED AND ACCEPTED:
If the above total price, scope of work, specifications, terms and conditions are acceptable, sign below indicating your acceptance and authorization for Pro Playgrounds to proceed with the work and/or sales transaction described in this quotation. Upon signature and payment in accordance with this quote, Pro Playgrounds will proceed with the work and/or sales transaction.

_____/_____/_____
Signature Name / Title Date

Subtotal:	\$39,999.00
Sales Tax: (7.5%)	\$0.00
Total:	<u>\$39,999.00</u>

Terms and Conditions - Price valid for 30 days and subject to change. 1. If installation is not included with your purchase, client will be responsible for coordinating, receiving and unloading of all goods, delivery drivers will not help unload goods. 2. Client will be responsible to inspect goods for defect, damage or missing parts, any deficiency or missing parts must be noted on delivery slip. 3. Client will be responsible for costs due to cancelled or missed delivery appointments. 4. Client has reviewed all items, colors and descriptions on this quote for accuracy and correctness. 5. If quote includes installation of goods, the installation is subject to the terms and conditions of Pro Playgrounds "Standard Installation Agreement" a copy of which may be obtained from your Sales Representative.

Model: Steelworx Gable Shelters w/ Extended Eave, 12' x 24'

Manufacturing Mission: To provide all prefabricated components and installation instructions for a 12' wide by 24' long free standing bolt together, tubular steel constructed shelter kit.

Design Criteria: Structure is typically designed for a 25 lb live load and a 90 mph wind load capacity, but can be designed based on specific site requirements upon request. All structural members are ASTM A-500 U.S. grade B steel. Welded connection plates shall be ASTM A-36 hot rolled steel. All fabrication performed to latest AISC standards by AWS Certified welders. All framing connections are done using A325 grade bolts within concealed access openings from above and will later be concealed by the roofing. All roof framing shall be flush against the roof decking to eliminate the possibility of bird nesting.

Tubular Steel Columns and Beams: Standard columns dimensions shall be 6" x 6" x 3/16" welded to 5/8" base plate. Main support beams are 7" x 5" x 3/16" and purlins are 6" x 3" x 3/16". Steel sizes are preliminary and may change upon final engineering based on actual site conditions and load requirements (site specific engineering shall be an additional cost).

Roofing: 24 Ga. pre-cut steel Mega-Rib panels with 1 1/2" high ribs at 7.2" o.c. with a Kynar 500 finish in a variety of colors with white underside. Standard roof slope is a 4/12 pitch with a eave height of 11'-0". Attached to structural framing with exposed self tapping screws painted to match roof color. Matching 24 Ga. trim included.

Frame Finish: All steel framework will receive a corrosion protective TGIC Polyester powder coat, electro-statically applied and cured at 400°F. A large selection of standard colors are available.

Foundation: All columns need to be anchored to concrete footings (footing design provided separately). Columns can be surface mounted with anchor bolts at or below finish slab elevation or they can be embedded directly into the footing. Optional base plate covers are available at an additional cost.

Hardware: All structural hardware and roofing fasteners shall be provided.

Warranty: 10 years against manufacturer defects.

Not Included: Concrete work of any kind, unloading of product and installation.

Additional Options:

- Flexibility of Design
 - Such as: Height and Pitch
- Additional Engineering
- Variety of Colors
- Decorative Railings, Lattice, Braces, Trim, etc.
- Cupolas and Rooftop Accs.
- Site Furnishings and Accs.
- Provisions for Electrical
- Column Style Variations
- Lexan Wind Screens
- Tongue & Groove Roof Decking
- Asphalt Shingles, Standing Seam, Cedar Shake or Clay Tile Roofing
- Composite Finished Ceiling
- Solar Panels & Solar Lighting



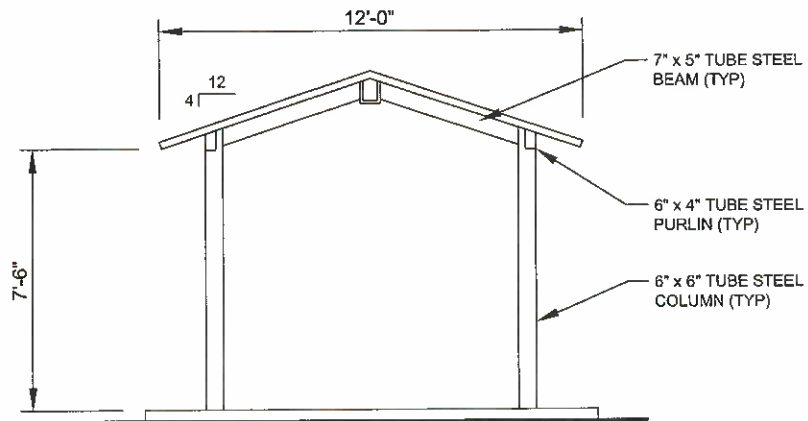
11800 East 9 Mile Road
Warren, MI 48089
Office: (586) 486-1088
Fax: (586) 754-9130
Toll Free: (800) 657-6118
Email: info@coverworx.net
www.CoverWorx.net

Steelworx Gable Shelter w/ Extended Eave - 12' x 24'

Model: GA-1224-SW-EX

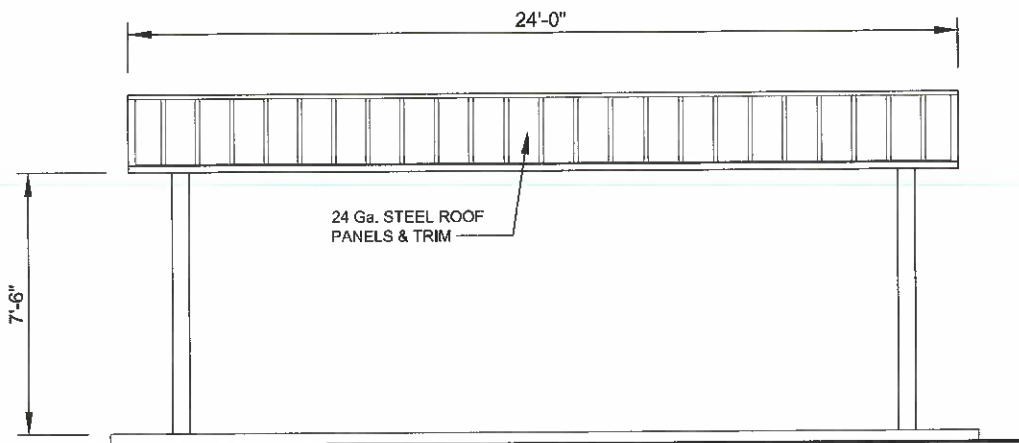
Page 19

DESIGN SPECIFICATIONS



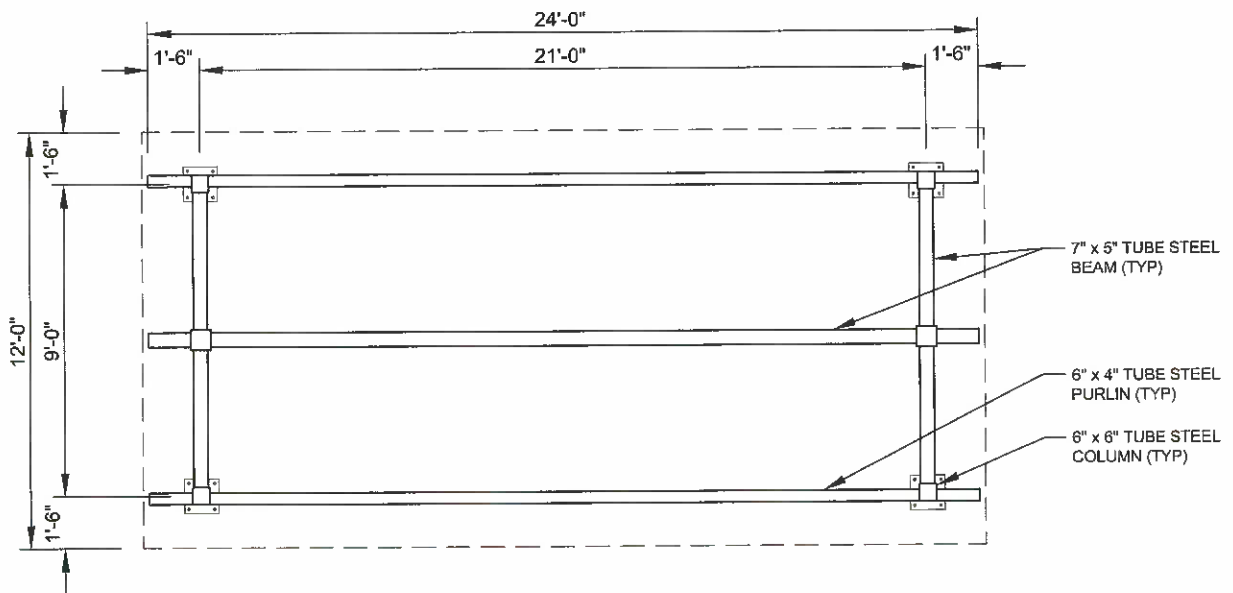
FRONT ELEVATION

SCALE: 3/16" = 1'-0"



SIDE ELEVATION

SCALE: 3/16" = 1'-0"



FRAMING PLAN

SCALE: 3/16" = 1'-0"



11800 East 9 Mile Road
Warren, MI 48089
Office: (586) 486-1088
Fax: (586) 754-9130
Toll Free: (800) 657-6118
Email: info@coverworx.net
www.CoverWorx.net

Steelworx Gable Shelter w/ Extended Eave - 12' x 24'

Model: GA-1224-SW-EX

DESIGN SPECIFICATIONS

COVERWORX COLORS

OPTIONS

All Coverworx Steel Frame, Metal Roof and Trim work panels are available in the colors below. Mix and match to create a look that suits your needs and expresses your style. Choose a frame finish as well as a metal roof color from the following options. Contact our Coverworx sales staff for custom color information and further details.

ROOF COLORS



McDonalds Yellow



Texas Silver Metallic



Terra Cotta



Almond



Slate Gray



Patina Green



Brite Red



Hartford Green



Roman Blue



Surrey Beige



Patrician Bronze



Galvalume Plus



Casco Orange



Preweathered Galvalume



Buckskin



Bone White



Dark Bronze



Colonial Red



Copper Penny



Brandywine



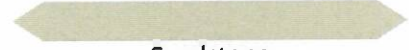
Champagne Metallic



Leadcoat



Silver Metallic



Sandstone



Mansard Brown



Medium Bronze



Regal Blue



Evergreen



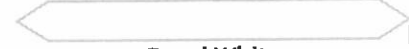
Ash Gray



Charcoal



Matte Black

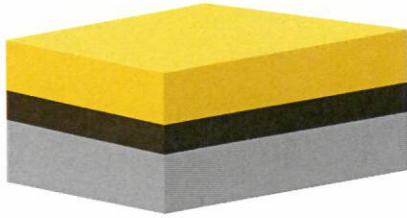


Regal White



POWDER COATING (FRAME) COLORS

Standard RAL Powder colors are also available for only frame color choices



POWDER COATING WITH ZINC RICH PRIMER AND TGIC POLYESTER

Shot blasted steel with factory applied zinc rich primer and TGIC Polyester (5-6 mil min. thickness on exterior and 3 mil min. thickness on interior).

Note: An Optional Super Durable TGIC and graffiti resistant TGIC color or clear coat is available for an upcharge.



Hartford Green



Brandywine



Evergreen



Roman Blue



Matte Black



Ash Grey



Surrey Beige



Regal White



Clay



Dark Bronze



Mansard Brown



Light Stone



Timber Tan



Charcoal



Patrician Bronze



Bone White



Sandstone



Slate Gray



Patina Green



Colonial Red



Medium Bronze



Brite Red



Regal Blue



Autumn Red



Tudor Brown

Bridge Option 1, Trex Enhance Composite Deck Board:

Sold as a 16' board, with a width of 5.5". Sold at \$38.40 per.

4ft wide bridge would require 25 boards = \$960

Bridge Option 2, 1"x6" Pressure Treated Wood:

Sold as a 16' board, with a width of 6". Sold at \$5.28 per.

4ft wide bridge would require 25 boards = \$264

Bridge option 3, 2"x6" Pressure Treated Wood:

Sold as 16' board, with a width of 6". Sold at \$7.05 per.

4ft wide bridge would require 25 boards = \$352.50

Supports, 4"x4"x10" Pressure Treated Wood, sold at \$15.98 per:

Each side has 4 horizontal boards, and 12 vertical supports (5' per).

Horizontal Boards = 8 total = \$127.84

Vertical Supports = 6 total = \$95.88

Total supports = \$223.72

Securing hardware will be determined by product used. Option 1, Trex, has their own specialty fasteners (360 for \$149.00). If Pressure Treated Wood is chosen, general deck crews would suffice (47 4" crews for 9.98, would need approximately 450, or \$99.80.)

Totals for Option 1: Trex Composite

4ft wide bridge = \$960 (Decking) + \$298 (Fasteners) + \$223.72 (Supports) = \$1,481.72

Totals for Option 2: 1"x6" Pressure Treated Wood

4ft wide bridge = \$264 (Decking) + \$99.80 (Screws) + \$223.72 (Supports) = \$587.52

Totals for Option 3: 2"x6" Pressure Treated Wood

4ft wide bridge = \$352.50 (Decking) + \$99.80 (Screws) + \$223.72 (Supports) = \$676.02