



Trails and Greenways Committee

Monday, September 13, 2021 at 6:00 pm

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

- a. **Approve Minutes of 08/09/2021**

Exhibit: Agenda Report Number 4a

Attachments:

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

5. PUBLIC COMMENTS
6. ACTION ITEMS : 0
7. DISCUSSION ITEMS:

- a. **Trail, Kiosk and Firebreak Conditions**
 - b. **Eagles Nest Trailhead RFQ Award**

Exhibit: Agenda Report Number 7b

Attachments:

- **Agenda Report Number 7b** (Agenda_Report_Number_7b.pdf)

- c. **Remaining F.Y. 2020/2021 Trails and Greenways Funds**

Exhibit: Agenda Report Number 7c

Attachments:

- **Agenda Report Number 7c** (Agenda_Report_Number_7c.pdf)

- d. **October 30 Mobility Week Ride T&GC Sponsorship Planning (TPO)**
 - e. **Next Field Event - TBD**

8. OLD/NEW BUSINESS

- a. **Board Member Comments**
 - b. **Next Scheduled Meeting Date**

October 11th, 2021

9. ADJOURNMENT

09/07/2021 at 1:16 PM

TOWN OF MALABAR

TRAILS AND GREENWAYS COMMITTEE MEETING

AGENDA ITEM NO: 4.a
Meeting Date: September 13th, 2021

Prepared By: Richard W. Kohler, Deputy Clerk/Treasurer

SUBJECT: Approve Minutes of 08/09/2021

BACKGROUND/HISTORY:

- a. Summary of Actions at the Trails and Greenways Committee Meeting of 08/09/2021.

ATTACHMENTS:

- a. Draft Minutes of T&GC Meeting of 08/09/2021

ACTION OPTIONS:

- a. Request Approval

MALABAR TRAILS AND GREENWAYS COMMITTEE REGULAR MEETING
August 9th, 2021, 6:00 PM

This meeting of the Malabar Trails and Greenways Committee was held at Town Hall at 2725 Malabar Road.

1. CALL TO ORDER, PRAYER AND PLEDGE:

Meeting called to order at 6:00 P.M. Prayer and Pledge led by Chair Thompson.

2. ROLL CALL:

CHAIR:	DREW THOMPSON
VICE-CHAIR:	MURRAY HANN
BOARD MEMBERS:	ANNELIE HARVEY-Via Phone
	BOB WILBUR
	BARBARA CAMERON
BOARD SECRETARY:	RICHARD KOHLER
ALSO IN ATTENDANCE:	CRAIG SMITH

3. ADDITIONS/DELETIONS/CHANGES

Chair Thompson recognized Daniel Waite, a potential future member. Mr. Waite explained his background in Parks and Recreation including his degree from FIU and work experience in South Florida.

4. CONSENT AGENDA

4.a. Regular Trails and Greenways Committee Mtg Minutes of 07/12/2021

Motion to accept by Hann/Cameron

All Ayes: Motion Carried 5-0 (all ayes).

5. PUBLIC COMMENTS: NONE

6. ACTION ITEMS: NONE

7. DISCUSSION

a. Trail, Kiosk, and Firebreak Conditions

Vice Chair Hann states the trails north of Malabar Road are in great shape. They need to be trimmed and the BMBA is planning a work day in that area. They will be laying the green mesh and trimming all trails. There is one tree that impedes horse traffic, and it will be removed. The focus of the trail day will be in the Cameron Preserve. **VC Hann/Wilbur moves to make the Trail Day a Malabar Volunteer day to be held in correlation with the BMBA.**

All Ayes: Motion Carries 5-0 (all ayes)

b. Eagles Nest Trailhead Scope of Work

Chair Thompson begins by giving an overview of the project. After the PW assistance, it was found that the fence line needed more fill. VC Hann suggests adding the lot dimensions to the proposal. Chair Thompson suggests we only ask the contractors to clear the next steps and leave anything else for a later project. VC Hann states he was on site yesterday and the fence line was under water. Chair Thompson amends item 2 of the proposal to include North South fence line and to raise it approx. 2 inches. VC Hann suggests he rewrite the SOW in more simpler terms. CM Wilbur suggests we mark trees for saving and bring the rest of the property up to the same level and bring in

road base. We must use or lose our budgeted funds for this year. Chair Thompson suggests moving the exit driveway North. He will also get the dimensions together and finalize a draft for the committee's review.

VC Hann/Cameron moves to amend the RFP to remove the fill portion, and send to the Committee for final approval.

All Ayes: Motion Carries 5-0 (all ayes)

c. Updating Trail Signage

VC Hann states he has reached out to Mr. Mann from EELs and is hoping to have a final draft before the next meeting. His recommendation for the trail features is to remove the wooden borders to allow easier access. Chair Thompson states the Brook Hollow HOA will be installing a new kiosk in their picnic area and expresses his wish to include the trail map. VC Hann stated there was an issue between Horses and Bikers. Secretary Kohler requests additional signage indicating that Horses have the ROW. The BMBA has searched for the person who wrote the letter, to no avail. The BMBA BOD acknowledges the issues with the letter and are working towards a resolution. VC Hann states the new owners of the Malabar School House are using the Sandhill Trailhead for weekend parking.

d. Next Field Event – T.B.D.

9. OLD/NEW BUSINESS

a. Old Business:

b. New Business:

- Next Regular Meeting- September 13th, 2021

10. ADJOURN

There being no further business to discuss;

MOTION Hann/Wilbur. Vote: All Ayes. The meeting adjourned 7:35 PM.

BY:

Drew Thompson Chair

09/13/2021

Date Approved: as presented:

Richard W. Kohler, Board Secretary

TOWN OF MALABAR

TRAILS AND GREENWAYS COMMITTEE MEETING

AGENDA ITEM NO: 7.b
Meeting Date: September 13th, 2021

Prepared By: Richard W. Kohler, Deputy Clerk/Treasurer

SUBJECT: Eagles Nest Trailhead RFQ Award

BACKGROUND/HISTORY:

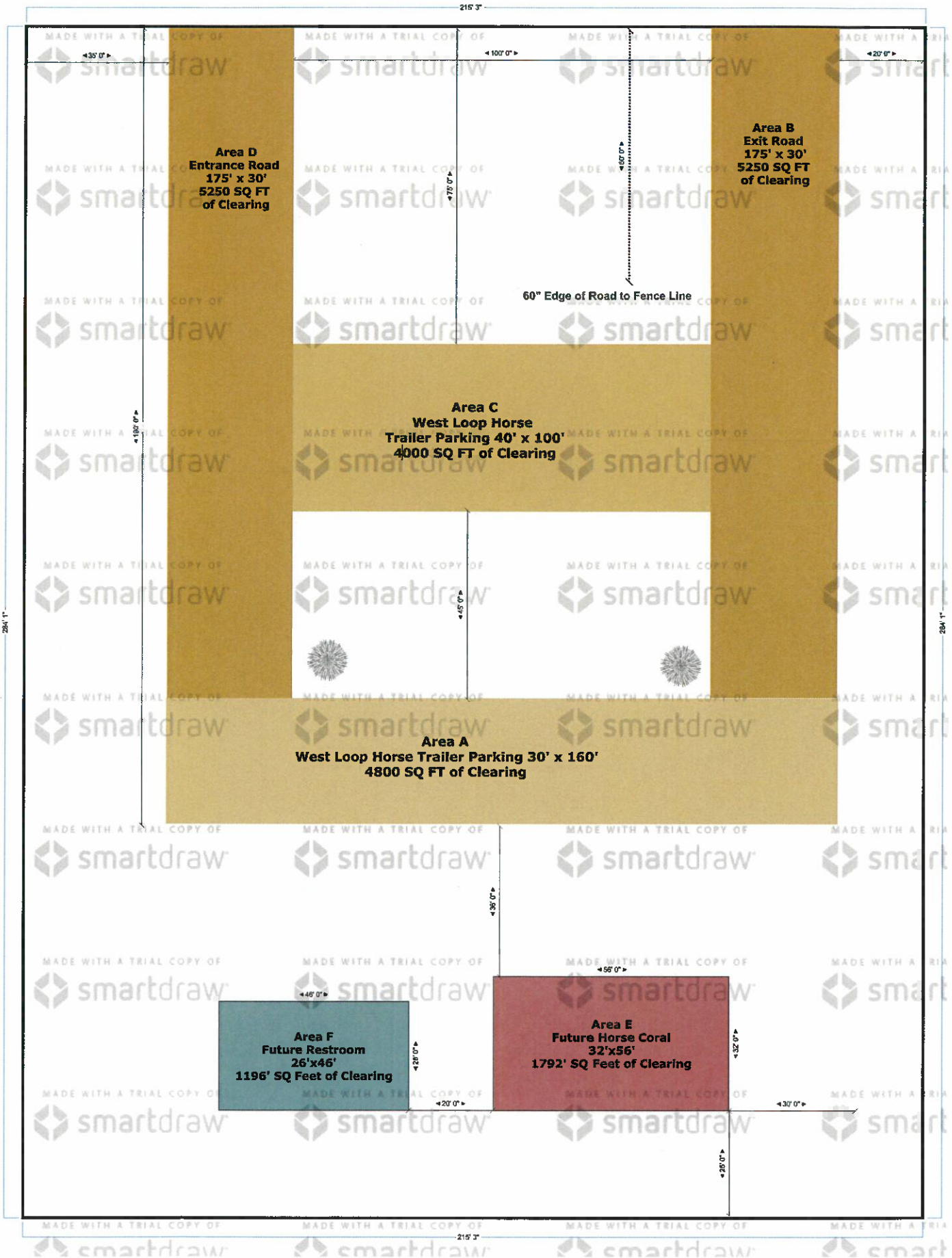
- a. The Town of Malabar advertised on DemardStar for a Request for Quote (RFQ) for the clearing of the driveways at the Eagles Nest Trailhead (ENT).
- b. We received three quotes for said project.
- c. The job was awarded to contractor with the lowest quote.

ATTACHMENTS:

- a. Final Scope of Work Published in RFQ
- b. All quotes received for project

ACTION OPTIONS:

- a. Discussion/Review.



Buffalo

Suppliers

Quote Recipients (3)

Category

Submitted Quote



Name



Buffalo Land Clearing LLC

Malabar, FL

Quote Total : \$3281

Response Date : 08/29/2021

Delivery (days ARO) : 30

Flawless Lawn Care & Landscaping, Inc.

PALM BAY, FL

Quote Total : \$0

Response Date : 08/30/2021

Sea of Green Landscape Maintenance LLC

Cocoa, FL

Quote Total : \$4825

Response Date : 08/31/2021

Supplier Details

Response Submitted By	Buffalo Land Clearing LLC
Preparer	Kyle Buffaloe
Address	1280 Corey Rd, Malabar, FL 32950, United States of America
Phone	321-848-3307
Email	buffalolandclearing@gmail.com
Price	\$3281

Status Notes

Submitted Quote

Complete / Partial

Completed

Buffalo

Quote Breakdown (4)

#	Description	Quantity	Price (Per UOM)	Subtotals	Award Status
1	ENT Area A - West Loop Horse Trailer Parking 30' x 160' Estimated 4800 SQ FT of Brush Cut/Clearing	4800 Square Feet	\$0.170	\$816.00	Awarded
2	ENT Area B- Exit Road 175' x 30' Estimated 5250 SQ FT of Brush Cut/Clearing	5250 Square Feet	\$0.170	\$892.50	Awarded
3	ENT Area C - West Loop Horse Trailer Parking 40' x 100' Estimated 4000 SQ FT of Brush Cut/Clearing	4000 Square Feet	\$0.170	\$680.00	Awarded
4	ENT Area D Entrance Road 175' x 30' Estimated 5250 SQ FT of Brush Cut/Clearing	5250 Square Feet	\$0.170	\$892.50	Awarded

Subtotals will be rounded up to the nearest cent

Total \$3,281.00

Award

Additional Supplier Information**Delivery Details** 30 After Receipt of Order (ARO)**Additional Details** Gate will need to be opened into adjacent TOM property for the deposit of vegetation materials.**Buyer Information****Additional Specifications**

From the measured sketch provided, designated areas have been identified with to-be-cleared square footage, The Town of Malabar (TOM) seeks a quote for the following work (deliverables) at the ENT: 1. All work efforts on road and parking areas are to be performed with goal of future grade and fill to accommodate a 30" with a looped, counterclockwise flow of traffic. 2. Grind and clear areas to remove roots, brush, trees and branches with retention of as much soil as possible for site preparations for future fill and grade. 3. Complete all work by September 30, 2021. See attached documents for more detail.

Insurance and Additional Requirements

The minimum coverage limits and provisions are: General Liability - \$1,000,000/occurrence, \$2,000,000/annual aggregate Business Auto - \$1,000,000/accident, coverage for owned, hired, non-owned Additional Insured - required on General and Auto Liability

Terms and Conditions

Work completion must occur prior to September 30, 2021 with invoice for the end of the Town's fiscal year.

Buffalo

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Sea of Green

Suppliers

Quote Recipients (3)

Category

Submitted Quote



Name



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Quote Total : \$3281

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Flawless Lawn Care & Landscaping, Inc.

PALM BAY, FL

Quote Total : \$0

Response Date : 08/30/2021

Sea of Green Landscape Maintenance LLC

Cocoa, FL

Quote Total : \$4825

Response Date : 08/31/2021

Supplier Details

Response Submitted By	Sea of Green Landscape Maintenance LLC
Preparer	Shawn Choron
Address	124 Twin Lakes Dr. Cocoa, Cocoa, FL 32926, United States of America
Phone	321-507-3317
Email	shawn.choron@sog-landscape.com
Price	\$4825

Status Notes

Submitted Quote

Complete / Partial

Completed

Sea of Green

Quote Breakdown (4)

#	Description	Quantity	Price (Per UOM)	Subtotals	Award Status
1	ENT Area A - West Loop Horse Trailer Parking 30' x 160' Estimated 4800 SQ FT of Brush Cut/Clearing	4800 Square Feet	\$0.250	\$1,200.00	Awarded to Another Supplier
2	ENT Area B- Exit Road 175' x 30' Estimated 5250 SQ FT of Brush Cut/Clearing	5250 Square Feet	\$0.250	\$1,312.50	Awarded to Another Supplier
3	ENT Area C - West Loop Horse Trailer Parking 40' x 100' Estimated 4000 SQ FT of Brush Cut/Clearing	4000 Square Feet	\$0.250	\$1,000.00	Awarded to Another Supplier
4	ENT Area D Entrance Road 175' x 30' Estimated 5250 SQ FT of Brush Cut/Clearing	5250 Square Feet	\$0.250	\$1,312.50	Awarded to Another Supplier
Subtotals will be rounded up to the nearest cent			Total	\$4,825.00	

Award

Additional Supplier Information

Delivery Details

After Receipt of Order (ARO)

Additional Details

Buyer Information

Additional Specifications

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Terms and Conditions

Work completion must occur prior to September 30, 2021 with invoice for the end of the Town's fiscal year.

Sea of Green

© 2021 DemandStar Corporation

Flawless

Suppliers

Quote Recipients (3)

Category

Submitted Quote



Name



Buffalo Land Clearing LLC

Malabar, FL

Quote Total : \$3281

Response Date : 08/29/2021

Delivery (days ARO) : 30

Flawless Lawn Care & Landscaping, Inc.

PALM BAY, FL

Quote Total : \$0 - \$6,902

Response Date : 08/30/2021

Sea of Green Landscape Maintenance LLC

Cocoa, FL

Quote Total : \$4825

Response Date : 08/31/2021

Supplier Details

Response Submitted By

Flawless Lawn Care & Landscaping, Inc.

Preparer

Lisa Cram

Address

1901 DANR DRIVE, PALM BAY, FL 32905, United States of America

Phone

321-724-9007

Email

flawless@flawlesslawninc.com

Price

\$0 - \$6,902

Status Notes

Submitted Quote

Complete / Partial

Completed

Flawless

Quote Breakdown (4)

#	Description	Quantity	Price (Per UOM)	Subtotals	Award Status
1	ENT Area A - West Loop Horse Trailer Parking 30' x 160' Estimated 4800 SQ FT of Brush Cut/Clearing Supplier quoted alternate : \$1632.00 - ENT Area A - West Loop Horse Trailer Parking 30' x 160' Estimated 4800 SQ FT of Brush Cut/Clearing	4800 Square Feet	0	0	Awarded to Another Supplier
2	ENT Area B- Exit Road 175' x 30' Estimated 5250 SQ FT of Brush Cut/Clearing Supplier quoted alternate : \$1785.00 - ENT Area B- Exit Road 175' x 30' Estimated 5250 SQ FT of Brush Cut/Clearing	5250 Square Feet	0	0	Awarded to Another Supplier
3	ENT Area C - West Loop Horse Trailer Parking 40' x 100' Estimated 4000 SQ FT of Brush Cut/Clearing Supplier quoted alternate : \$1700.00 - ENT Area C - West Loop Horse Trailer Parking 40' x 100' Estimated 4000 SQ FT of Brush Cut/Clearing	4000 Square Feet	0	0	Awarded to Another Supplier
4	ENT Area D Entrance Road 175' x 30' Estimated 5250 SQ FT of Brush Cut/Clearing Supplier quoted alternate : \$1785.00 - ENT Area D Entrance Road 175' x 30' Estimated 5250 SQ FT of Brush Cut/Clearing	5250 Square Feet	0	0	Awarded to Another Supplier
Subtotals will be rounded up to the nearest cent			Total	\$ -	\$ 6,902

Award

Additional Supplier Information

Delivery Details After Receipt of Order (ARO)

Additional Details Quote is per section A/B/C/D - Please call Lisa Cram @ 321-514-4928 with any questions. Thanks!!!

Buyer Information

Flawless

Additional Specifications

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Insurance and Additional Requirements

The minimum coverage limits and provisions are: General Liability - \$1,000,000/occurrence, \$2,000,000/annual aggregate Business Auto - \$1,000,000/accident, coverage for owned, hired, non-owned Additional Insured - required on General and Auto Liability

Terms and Conditions

Work completion must occur prior to September 30, 2021 with invoice for the end of the Town's fiscal year.

TOWN OF MALABAR

TRAILS AND GREENWAYS COMMITTEE MEETING

AGENDA ITEM NO: 7.C
Meeting Date: September 13th, 2021

Prepared By: Richard W. Kohler, Deputy Clerk/Treasurer

SUBJECT: Remaining F.Y. 2020/2021 Trails and Greenways Funds

BACKGROUND/HISTORY:

- a. Upon Payment of the Eagles Nest Trailhead Clearing, the Trails & Greenways Committee will have a remaining fund balance of \$6,049.67.
- b. At the end of this F.Y. (09/30/2021) the remaining funds will roll into the general fund balance.
- c. It has recently come to our attention that the \$40k received for the improvements at Fern Creek Park is actually an obligation to spend on specific improvements on Florida Community Trust (FCT) properties.

ATTACHMENTS:

- a. Quickbooks Report on Fund Balance
- b. Quote for ENT Clearing
- c. E-mail from TM Stinnett about FCT obligations
- d. Amended Grant Award Agreement

ACTION OPTIONS:

- a. Discussion/Review.

11:13 AM

09/07/21

Accrual Basis

Town of Malabar
Transaction Detail By Account
October 1, 2020 through September 7, 2021

Type	Date	Num	Name	Memo	Cir	Split	Debit	Credit	Balance
N Parks & Recreation									
001-572.4930 Other Cur Ob-T&G									
Bill	03/10/2021		BB&T Bank	Feb		20000 · Accou...	17.99		17.99
Bill	07/15/2021		BB&T Bank	June		20000 · Accou...	447.94		465.93
Bill	08/10/2021		BB&T Bank	July 1078		20000 · Accou...	203.40		669.33
Total 001-572.4930 Other Cur Ob-T&G							669.33	0.00	669.33
Total N Parks & Recreation							669.33	0.00	669.33
TOTAL							669.33	0.00	669.33

Status Notes

Submitted Quote

Complete / Partial

Completed

Buffalo

Quote Breakdown (4)

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Subtotals will be rounded up to the nearest cent

Total \$3,281.00

Award

Additional Supplier Information

Delivery Details 30 After Receipt of Order (ARO)

Additional Details Gate will need to be opened into adjacent TOM property for the deposit of vegetation materials.

Buyer Information

Additional Specifications

From the measured sketch provided, designated areas have been identified with to-be-cleared square footage, The Town of Malabar (TOM) seeks a quote for the following work (deliverables) at the ENT: 1. All work efforts on road and parking areas are to be performed with goal of future grade and fill to accommodate a 30" with a looped, counterclockwise flow of traffic. 2. Grind and clear areas to remove roots, brush, trees and branches with retention of as much soil as possible for site preparations for future fill and grade. 3. Complete all work by September 30, 2021. See attached documents for more detail.

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

Matt Stinnett <TownManager@townofmalabar.org>

Mon 6/1/2020 2:15 PM

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

Cc: Debby Franklin <townclerk@townofmalabar.org>

Thanks Rita!

Best Regards,
Matthew R Stinnett, MPA
Town Manager

 null

Town of Malabar
2725 Malabar Road
Malabar, FL 32950
www.TownofMalabar.org
Office [321-727-7764](tel:321-727-7764)

Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

On Jun 1, 2020, at 2:00 PM, Ventry, Rita <Rita.Ventry@dep.state.fl.us> wrote:

Matt – FYI.....just wanted to let you know that a warrant has been requested to reimburse the town the \$40,445.00 for the amended grant award for the reimbursement from FDOT. Please contact your Budget office so they know what needs to be done with the funds. If in a couple weeks these funds have not been received please let me know.

Remember that these funds are to be used only for the additional development on the Malabar Sanctuary FCT site as listed in the amended GAA. These elements are:



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

When submitting your annual stewardship reports, please add these elements to the elements required to be built and reported on. Thank you for your continued stewardship for this FCT site. If you have any questions or concerns just let me know.

Rita Ventry

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:

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

Debbly Franklin
Witness Signature

By: Patrick T. Reilly
Chair Patrick T. Reilly

Debbly Franklin
Printed Name

Date: April 29, 2020

Debbly K. Franklin
Witness Signature

Approved for Form and Sufficiency:

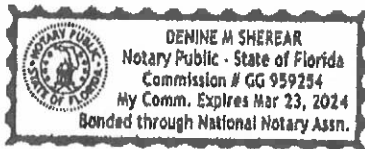
Debbly K. Franklin
Printed Name

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

STATE OF FLORIDA
COUNTY OF BREVARD

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

SEAL



Denine M Sherear
Notary Public, State of Florida

Denine M Sherear
Printed Name

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

FLORIDA COMMUNITIES TRUST

Dave Fewer
Witness Signature

DAVE FEWER
Printed Name

Clinton H Grimes
Witness Signature

CLINTON H GRIMES
Printed Name

By: Callie DeHaven
Chair

Date: _____

Approved for Form and Sufficiency:

Digitally signed by Lois La Seur
Seur
Date: 2020.05.14
09:52:33 -04'00'
By: Lois La Seur, Trust Counsel

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.: _____