



## **Deerfield Beach Community Redevelopment Agency AGENDA**

Tuesday, March 20, 2012, 6:00 P.M.  
City Commission Chambers, Deerfield Beach City Hall

### **CALL TO ORDER AND ROLL CALL**

### **APPROVAL OF MINUTES\***

January 17, 2012

### **APPROVAL OF THE AGENDA\***

### **GENERAL ITEMS**

1. Request to approve special inspector services agreement with Dunkelberger Engineering and Testing for Pier Entrance Buildings
2. Request to approve Maintenance Agreement for 1701 Riverview Road
3. Request to approve CRA application to the Florida Inland Navigation District (FIND) for reimbursement for the purchase of 1701 Riverview Road
4. Discussion regarding Main Beach Parking Area Improvements Conceptual Plan
5. Discussion regarding 5-year Plan

### **BOARD/ADMINISTRATION COMMENTS**

Expense report, pursuant to CRA Resolution 2011-011

### **PUBLIC INPUT**

### **ADJOURN**

\* Indicates an Action Item

(Next Meeting: Tuesday, April 10, 2012, 6:30 PM unless otherwise determined)

**REQUESTED ACTION:**

Approve resolution authorizing scope of services with Dunkelberger Engineering & Testing to provide special inspections for the Pier Building Replacement Project under RFQ # 2009-10/02 for Professional Architect /Engineering for Continuing Services for an amount not to exceed \$11,365.

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**SUMMARY EXPLANATION/BACKGROUND:**

At the October 26, 2011 CRA Board meeting, the Board approved the selected Stiles Construction for the Pier Replacement Project. Special inspection services are required to comply with South Florida Building Code and City Building Code for piles and other structural components of the project.

The Special Inspections are to be performed by Dunkelberger's state registered Special Inspector who has the substantial experience in cast-in-place concrete, unit masonry and structural steel construction.

There is adequate funding in CRA Budget line item 190-8000-575.63-03 (Infrastructure/Pier) for this service.

Dunkelberger is involved in other aspects of the project (\$18,415 value). The total cost of their services exceeds the estimated \$20,000 allowance for this expense in the GMP as well as the \$25,000 procurement limit. With this in mind, CRA Board approval is required for this expense.

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**ATTACHMENTS:**

1. Dunkelberger Scope of Services
2. Resolution

City of Deerfield Beach  
Public Works and Environmental Services  
200 Goolsby Boulevard 1  
Deerfield Beach, Florida 33442

February 16, 2012  
Project No. FTL-10-0511 BG 23

# 2

Attention: **Mr. Hiep B. Huynh P.E.**  
**CRA Project Manager**

Subject: **Special Inspector Services**  
**Improvements to the Deerfield Beach Fishing Pier**  
**Pier Buildings Redesign**  
**Deerfield Beach, Florida**

Dear Mr. Huynh:

### INTRODUCTION

Dunkelberger Engineering & Testing, Inc. (Dunkelberger) is pleased to submit this cost estimate proposal to provide Special inspector services per 109.11 of the Broward County administration code. Enclosed is the proposal in connection the referenced project. The proposal is submitted in response to comments which the City of Deerfield Beach Building department has forwarded based upon its review of the project plans. Presented hereafter are a description of the services to be provided and an estimate of their cost. The cost estimate is based on our experience with similar projects.

### SCOPE OF WORK

#### Special Inspector Inspection

Dunkelberger's state registered Special Inspector will have responsibility in seeing that the inspection plan is properly executed in the field and will issue the necessary documentation to The City of Deerfield Beach Florida Building Department attesting to that. The Special Inspector will not be in the field on a daily basis but will review, in the office, all field reports, test results and related correspondence. The Special Inspector will be available to make periodic site visits to spot check critical components of the construction and offer consultations as necessary.

The Special Inspector will be represented in the field on a will call basis by an on-site resident inspector. This individual will be a State of Florida Certified Standard Building Inspector with substantial experience in cast-in-place concrete, unit masonry and structural steel construction. He/She will make the required field inspections (as shown in Attachment A), coordinate these with other members of the construction team, and document the results in daily written reports.

Failing inspections and the associated field inspection time will be transmitted to the City of Deerfield Beach CRA project Manager as the inspections are completed

**COMPENSATION, PAYMENT AND TERMS**

Dunkelberger proposes to perform the referenced services of threshold inspection for a cost estimate of \$11,365.00 as shown in Attachment B. The Cost Estimate includes for that period all costs associated with the work including on-site inspections, project management, special inspector engineer, administrative, overtime, travel, trip charges, standby time, office staff, overhead and equipment.

Invoices are due and payable upon receipt. Invoices not paid within 30 days of the date rendered will be assessed a finance charge of one and one-half (1-½) percent per month, or fraction thereof, for each month beyond 30 days past due. Invoices not paid within 60 days will result in Dunkelberger stopping work until such invoices rendered are paid in full. Invoices not paid within 90 days of the date rendered will be referred for collection. City of Deerfield Beach Florida will be responsible for all expenses incurred by Dunkelberger in the collection of any unpaid invoice, including the actual attorney fees and costs charged by our legal counsel.

Other terms and conditions related to the engagement of our services are discussed in the General Conditions, Attachment D. The General Conditions are hereby incorporated into and made part of this proposal.

\_\_\_\_oOo\_\_\_\_

City of Deerfield Beach Pier  
February 16, 2012  
Project No. FTL-10-0511

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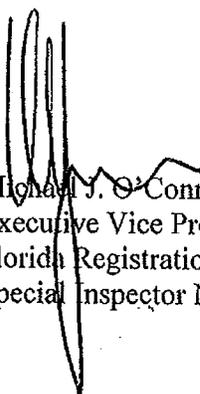
Dunkelberger appreciates the opportunity to submit this proposal and looks forward to rendering the services described herein for this project. To acknowledge acceptance of the terms and conditions of this agreement, kindly sign the acceptance portion of this proposal and return it, intact, to our West Palm Beach office.

Should the proposal contents require any clarification or amplification, please feel free to contact us.

Very Truly Yours,

**DUNKELBERGER ENGINEERING & TESTING, INC.**

Louis R. Perini III  
Special Inspector Representative  
Inspection Services Manager  
FL License No. BN3688



Michael J. O'Connor, P.E.  
Executive Vice President  
Florida Registration No. 44082  
Special Inspector No. 981

Attachments: A – Scope of Work  
B – Cost Estimate  
C – Unit Rate Schedule  
D – General Conditions

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Company

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title



**DUNKELBERGER ENGINEERING & TESTING, INC.**  
**Inspection Services – Unit Fee Schedule**  
**2012**

*Professional Rates:*

|  |                       |
|--|-----------------------|
| Inspection Services Manager .....                | \$ 120.00/hour        |
| Plan Review (2 hour minimum) .....               | \$ 85.00/hour         |
| Building Code Consultation (4 hour minimum)..... | \$ 120.00/hour        |
| Chief Inspector .....                            | \$ 85.00/hour         |
| Senior Inspector.....                            | \$ 75.00/hour         |
| <b>Threshold Inspector .....</b>                 | <b>\$ 65.00/hour</b>  |
| Principal Engineer.....                          | \$ 175.00/hour        |
| Registered Private Provider.....                 | \$ 140.00/hour        |
| <b>Threshold Engineer.....</b>                   | <b>\$ 105.00/hour</b> |
| Special Inspector of Record .....                | \$ 140.00/hour        |
| Project Engineer .....                           | \$ 95.00/hour         |
| Administrative .....                             | \$ 45.00/hour         |

*Equipment Use:*

|                                       |           |
|---------------------------------------|-----------|
| Wilhelm Skidmore Device .....         | \$ 150.00 |
| Torque Wrench with Multiplier .....   | \$ 75.00  |
| Non-Destructive Evaluation (NDE)..... | Per Quote |

Notes:

1. Hourly rates are portal to portal.
2. A minimum of 0.5 hours of applicable engineering time will be charged per report.
3. An overtime factor of 1.5 will be applied to the attached rates for work performed on weekends, holidays, and outside the regular work week (7:30 a.m. to 5:00 p.m. Monday through Friday).
4. Inspection request notification (24 hours) or by 3 pm the previous day.

GENERAL CONDITIONS

"Dunkelberger Engineering & Testing, Inc. (Dunkelberger) and Client Agreement"

1. **Payment Terms:** Invoices are due and payable upon receipt. Invoices not paid within 30 days of date rendered will be assessed a finance charge of one percent per month, or fraction thereof, for each month beyond 30 days past due. Invoices not paid within 60 days will result in Dunkelberger stopping work until such invoices rendered are paid in full. Invoices not paid within 90 days of the date rendered will be referred for collection. Client will be responsible for all expenses incurred by Dunkelberger in the collection of any unpaid invoice, including the actual attorneys' fees and costs charged by our legal counsel.
2. **Insurance:** Dunkelberger maintains Workers' Compensation and Employer's Liability Insurance in conformance with applicable State law. In addition, Dunkelberger maintains Professional Liability Insurance with Limits of \$2,000,000 each claim, \$3,000,000 aggregate; General Liability Insurance with Limits of \$1,000,000 each occurrence, \$2,000,000 aggregate; Automobile Liability Insurance with a Limit of \$1,000,000 each occurrence and Commercial Umbrella Excess Liability Insurance with Limits of \$4,000,000 each occurrence, \$4,000,000 aggregate. A certificate of insurance can be supplied evidencing such coverage, upon request.
3. **Access to Site:** Client will arrange and provide such access to the site as is necessary for Dunkelberger to perform the work. Dunkelberger shall take reasonable measures and precautions to minimize damage to the site and any improvements located thereon as the result of its work or the use of its equipment; however, Dunkelberger has not included in its fee the cost of restoration of damage which may occur. If Client desires or requires Dunkelberger to restore the site to its former condition, upon written request Dunkelberger will perform such additional work as is necessary to do so and Client agrees to pay to Dunkelberger the cost thereof.
4. **Damage to existing man-made objects:** Unless Dunkelberger has assumed in writing the responsibility of locating subsurface or latent conditions, Client agrees to indemnify and save Dunkelberger harmless from all claims, suits, losses, costs and expenses, including reasonable attorneys' fees as a result of personal injury, death or property damage occurring with respect to Dunkelberger's performance of its work and arising from subsurface or latent conditions or damage to subsurface or latent objects, structures, lines or conduits where the actual or potential presence and location thereof was not revealed to Dunkelberger by Client.
- 5a. **Warranty:** Dunkelberger's services will be performed, its findings obtained, and its reports prepared in accordance with its proposal, Client's acceptance thereof, these General Conditions, and with generally accepted principles and practices. In performing its professional services, Dunkelberger will use that degree of care and skill ordinarily exercised under similar circumstances by members of its profession. This warranty is in lieu of all other warranties or representations, either expressed or implied.
- 5b. **Risk Allocation:** Should Dunkelberger or any of its professional employees be found to have been negligent in the performing of professional services or work or to have made and breached any expressed or implied warranty, representation or contract, Client, all parties claiming through Client, and all parties claiming to have in any way relied upon Dunkelberger's services or work agree that the maximum aggregate amount of the liability of Dunkelberger, its officers, employees, and agents shall be limited to \$50,000 or the total amount of the fee paid to Dunkelberger for its work performed with respect to the project, whichever amount is greater. Client expressly agrees that it has received consideration for this agreement to limit liability in the form of a lower contract price.  
  
Client may, upon written request received within five days of Client's acceptance hereof, increase the limit of Dunkelberger's liability to \$500,000 or the amount of Dunkelberger's fee, whichever is the greater, by agreeing to pay Dunkelberger a sum equivalent to an additional amount of 5% of the total fee, or \$400, whichever is greater. This charge is not to be construed as being a charge for insurance of any type but is increased consideration for the greater liability involved.
6. **Indemnity:** Subject to the above limitations, Dunkelberger agrees to indemnify and hold Client harmless from and against any and all claims, suits, costs and expenses including reasonable attorney's fees and court costs arising out of Dunkelberger's negligence to the extent of Dunkelberger's negligence. Client shall provide the same protection to the extent of its negligence. In the event that Client shall bring any suit or claim against Dunkelberger, the Client shall pay to Dunkelberger the costs and expenses incurred by Dunkelberger to answer and defend it, including reasonable attorneys' fees and court costs, to the extent that Dunkelberger shall prevail in such suit.
7. **Governing Law:** This agreement shall be governed in all respects by the laws of the State of Florida.

**RESOLUTION NO. 2012/ \_\_\_\_\_**

**A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING DUNKELBERGER INC.'s PROPOSAL FOR SPECIAL INSPECTION SERVICES RELATED TO THE CONSTRUCTION OF THE PIER AND PIER ENTRANCE BUILDINGS FOR AN AMOUNT NOT TO EXCEED \$11,365.00.**

**WHEREAS**, the CRA Board wishes to construct the Pier and Pier Entrance Buildings per the requirements of the South Florida Building Code and the applicable City of Deerfield Beach Building Ordinances; and

**WHEREAS**, the CRA Board acknowledges that professional special inspector services are required for compliance; and

**WHEREAS**, Dunkelberger is a sub-consultant chosen pursuant to the Consultants Competitive Negotiations Act and deemed a special need service;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY REVELOPMENT AGENCY OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:**

Section 1. The CRA Board does hereby approve Dunkelberger Inc.'s proposal to provide special inspection services for the CRA for the construction of the Pier and Pier Entrance Buildings for an amount not to exceed \$11,365.00 and authorizes the CRA Director to execute same.

PASSED AND ADOPTED THIS 20<sup>th</sup> DAY OF JANUARY, 2012.

\_\_\_\_\_  
PEGGY NOLAND, CHAIR

ATTEST:

\_\_\_\_\_  
ADA GRAHAM-JOHNSON, MMC, CITY CLERK

**REQUESTED ACTION:**

Approve agreement with the City of Deerfield Beach for the maintenance of 1701 Riverview Road.

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**SUMMARY EXPLANATION/BACKGROUND:**

In December 2011, the Deerfield Beach Community Redevelopment Agency (CRA) purchased the 1701 Riverview Road property. The parcel fronts the Intracoastal Waterway, is approximately .7 acres and is directly adjacent to Sullivan Park. Since the property purchase, the CRA has been actively working to create a redevelopment strategy for this property. Improvements to the property will be made in the future pending funding for design and construction.

Until such time as a comprehensive redevelopment plan is created for this parcel, the CRA proposes entering into a mutually beneficial Maintenance Agreement with the City of Deerfield Beach. Under the proposed agreement, the CRA would be responsible for short term property improvements such as the installation of fencing, debris removal, and initial landscape installation and maintenance. The CRA would allow the City to use the property as an extension of Sullivan Park for public recreation purposes. In exchange, the City will engage in regular maintenance of the property according to the same maintenance schedule as Sullivan Park.

If approved, the agreement will be presented to the Deerfield Beach City Commission for consideration. If approved by the City Commission, the agreement would be effective immediately.

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**ATTACHMENTS:**

**Agreement  
Resolution**

# AGREEMENT

**THIS AGREEMENT** is entered into by and between the City of Deerfield Beach (CITY) and the City Deerfield Beach Community Redevelopment Agency (CRA) as follows:

**WHEREAS**, the CRA recently purchased the property known as the Riverview Property, located at 1701 Riverview Road, and more particularly described on Exhibit A; and

**WHEREAS**, the CITY and CRA wish to enter into a cooperative agreement whereby the CITY will maintain the property on a regular basis and the CRA will make the property available for use as a park;

**NOW, THEREFORE, BE IT AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:**

**SECTION 1.** The above referenced “Whereas” clauses are true and correct and made a part hereof.

**SECTION 2.** The CITY does hereby agree to maintain Riverview Property on a regular basis in the same manner as it maintains the remainder of Sullivan Park, which is adjoined thereto. The Riverview Property shall be used for park purposes.

**SECTION 3.** The CRA acknowledges that it will generally be responsible for capital improvements for the property and will retain vendors to undertake short-term capital improvements for the Riverview Property to further the goals and objectives of the CRA plan, and offer the use of the Riverview Property to the CITY for events on a priority basis provided the CRA Director determines that the event will further the goals and objectives of the CRA plan.

**SECTION 4.** This Agreement may be terminated by either party on 30 days’ notice to the other for convenience and without cause.

**SECTION 5.** The parties agree that during the time that each party is undertaking any actions on the Riverview Property, either by its employees, agents, contractors or sub-contractors, or conducting any event on the Riverview Property, that party shall be responsible for its actions and the actions of its employees, agents, contractors and sub-contractors and each party shall, to the extent permitted by law, indemnify others for the negligent acts and omissions of its employees, agents, contractors and subcontractors. Nothing contained herein is intended to alter the sovereign immunity of the CITY or any immunity enjoyed by the CRA.

**SECTION 6.** This is a full agreement between the parties and no amendment thereto shall be given effect except as contained in written document executed with equal dignity.

**SECTION 7.** The effective date of this Agreement shall be the date upon which the last signature is affixed hereto.

**IN WITNESS WHEREOF**, the parties hereto have set their hands the day set below their signature.

**DEERFIELD BEACH CRA**

**Witnesses:**

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

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

By: \_\_\_\_\_  
KEVEN R. KLOPP, DIRECTOR

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

**ATTESTED:**

\_\_\_\_\_  
ADA GRAHAM-JOHNSON, CITY CLERK

By: \_\_\_\_\_  
PEGGY NOLAND, CHAIR

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

**CITY OF DEERFIELD BEACH**

**ATTESTED:**

\_\_\_\_\_  
ADA GRAHAM-JOHNSON, CITY CLERK

By: \_\_\_\_\_  
PEGGY NOLAND, MAYOR

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ANDREW S. MAURODIS, ATTORNEY

**RESOLUTION NO. 2012/**

**A RESOLUTION OF THE DEERFIELD BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AN AGREEMENT BETWEEN THE CRA AND THE CITY OF DEERFIELD BEACH FOR MAINTENANCE OF A LOT LOCATED ADJACENT TO SULLIVAN PARK**

**WHEREAS**, the Community Redevelopment Agency of the City of Deerfield Beach (CRA) recently purchased the Riverview property located at 1701 Riverview Road adjacent to Sullivan Park; and

**WHEREAS**, the City wishes to assist the CRA in the maintenance of the property;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:**

**Section 1.** The above referenced "Whereas" clauses are true and correct and made a part hereof.

**Section 2.** The CRA does hereby approve the attached maintenance agreement with the CITY for maintenance of the Riverview property located at 1701 Riverview Road adjacent to Sullivan Park.

**Section 3.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

\_\_\_\_\_  
PEGGY NOLAND, CHAIR

ATTEST:

\_\_\_\_\_  
ADA GRAHAM-JOHNSON, MMC, CITY CLERK

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**REQUESTED ACTION:**

Direct CRA staff to prepare and submit application for property acquisition funding from the Florida Inland Navigation District for the purchase of 1701 Riverview Road in the amount of \$553,125.

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**SUMMARY EXPLANATION/BACKGROUND:**

The Florida Inland Navigation District (FIND) provides financial assistance local governments to improve navigation on the Intracoastal Waterway. Improvements include activities ranging from channel dredging and navigational controls to public access infrastructure and education. FIND provides competitive grant funding for property acquisition as a precursor to these activities. FIND will reimburse up to 25% of the cost of property acquisition if within seven (7) years a public boat ramp or marina facility is constructed. FIND also funds up to 75% of certain construction projects.

In December 2011 the CRA acquired 1701 Riverview Road – a vacant .7 acre parcel with significant Intracoastal Waterway frontage for \$2,212,500. This purchase was done in pursuit of the CRA Plan goal to redevelop the eastern portion of the Cove Shopping Center and create pedestrian connections to and the redevelopment of the Sullivan Park area.

In 2004 the City of Deerfield Beach commissioned the creation of the Kester Park Marina Plan, which envisioned the creation of a small marina adjacent to the Hillsboro Bridge to offer the public access to the Intracoastal Waterway. More recently in 2011, the Urban Land Institute Technical Advisory Panel (ULI TAP) made a series of recommendations for this area. Of note was the recommended development of a medium density maritime village that incorporated greater public access to the waterway via a waterfront boardwalk leading to a small marina and floating docks.

Such a redevelopment scenario will be expensive and will be much more likely to succeed if the CRA is able to form strategic partnerships for planning, design and implementation. Therefore, the CRA Board is being asked to direct CRA staff to prepare and submit an application for funding from FIND in the amount of \$553,125 (25% reimbursement) for the purchase of 1701 Riverview Road. If funded, the CRA will have seven (7) years to develop a public boat dock or marina facility with Intracoastal access. If the CRA does not commence construction within seven years, FIND may require reimbursement.

The application is due to FIND on April 2, 2012. There is no budget implication for the preparation of the grant application, beyond incidental expenses such as printing, reproduction and postage.

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**ATTACHMENTS:**

**Program background and application form excerpts  
Resolution**

# FLORIDA INLAND NAVIGATION DISTRICT



To: Local Governments  
From: Mark Crosley, Assistant Executive Director  
Subject: 2012 Waterways Assistance Program  
Date: January 09, 2012

## COMMISSIONERS

**S. NORMAN BRAY**  
CHAIR  
NASSAU COUNTY

**DONN R. COLEE, JR.**  
VICE-CHAIR  
PALM BEACH COUNTY

**GAIL KAVANAGH**  
TREASURER  
ST. LUCIE COUNTY

**NANCY J. FREEMAN**  
SECRETARY  
VOLUSIA COUNTY

**BRUCE D. BARKETT**  
INDIAN RIVER COUNTY

**J. CARL BLOW**  
ST. JOHNS COUNTY

**AARON L. BOWMAN**  
DUVAL COUNTY

**E. TYLER CHAPPELL**  
BROWARD COUNTY

**T. SPENCER CROWLEY, III**  
MIAMI-DADE COUNTY

**DONALD J. CUOZZO**  
MARTIN COUNTY

**JONATHAN S. NETTS**  
FLAGLER COUNTY

**JERRY H. SANSOM**  
BREVARD COUNTY

**DAVID K. ROACH**  
EXECUTIVE DIRECTOR

**MARK T. CROSLLEY**  
ASSISTANT EXECUTIVE  
DIRECTOR

Attached is an application package for the District's 2012 Waterways Assistance Program. Through this program over the past 23 years, the District has provided a total of over \$142 million in funding assistance to local governments within our District to perform waterways improvement projects. Project types eligible for funding include public navigation, public waterway access facilities, public recreation, inlet management, beach renourishment, environmental education and boating safety projects directly related to the waterways. **The District has some limited grant eligibility for land acquisition which includes opportunities for waterway access.** Generally, ineligible costs include project maintenance, landscaping, in-house staff and reoccurring fees. Please see the program rules for more details on project eligibility. The funding level of this year's program will be determined in July based upon the availability of funding to the District and the quality and number of applications received.

Applications are due **in the District office by 4:30 PM, April 02, 2012. Your application must be discussed with your local FIND Commissioner prior to March 02, 2012. The application must be initialed by the Commissioner prior to submission to the District office on April 02, 2012.** Please see the application package for the complete program schedule and the name and address of your Commissioner.

Please provide **2 copies of your application. One printed copy and one electronic copy.** Only the requested information should be submitted. **Do not submit "extra" information, dividers or binders** as your application will be "repackaged" for Commission review and evaluation. It is VERY important that the application forms remain in the same 8.5 x 11", paginated format, and the forms must be presented in the order listed on the application checklist. *Applications that do not follow the program directions, rules, or the application format may be rejected.*

Please review the application checklist and be sure you can provide all of the required items. If you cannot provide ALL of the items on the application checklist, please contact staff immediately for advice on the potential resolution of a required item. Any application failing to include the required application items (with the exception of environmental resource permits & exemptions) will be eliminated from consideration on June 01, 2012. There is no waiver or exception available for this deadline. Solving questions or problems prior to the preparation and submission of your application will save us both time and effort and result in a more successful application.

**FY 2012**

**WATERWAYS ASSISTANCE**

**PROGRAM**

**APPLICATION PACKAGE**

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## FY 2012 WATERWAYS ASSISTANCE PROGRAM APPLICATION

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| <b>ATTACHMENT C</b> | PROJECT PRIORITY LIST                    |
| <b>ATTACHMENT D</b> | PROGRAM RULES                            |
| <b>ATTACHMENT E</b> | PROGRAM APPLICATION/TIPS SHEET (2 PAGES) |
| E-1.                | APPLICANT INFORMATION/PROJECT SUMMARY    |
| E-2.                | APPLICATION CHECK LIST (2 PAGES)         |
| E-3.                | PROJECT INFORMATION                      |
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| E-6.                | RESOLUTION (2 PAGES)                     |
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| E-8.                | PROJECT TIMELINE                         |
| E-9.                | REQUIRED MAPS                            |

**ATTACHMENT A**  
**FY 2012**  
**WATERWAYS ASSISTANCE PROGRAM**  
**SCHEDULE**

January 2012      Availability of application packages.

**Prior to March 02** Applicants schedule review of proposed projects with local FIND Commissioner, required before submission to the District office.

|                       |  |
|-----------------------|--|
| <b>April 02, 2012</b> | <b>Application due in District office by 4:30 PM (No Exceptions)</b> |
|-----------------------|--|

June 01, 2012      Application requirements must be completed or application will be eliminated from further consideration.

June 15 & 16, 2012      Applicants make a 10-minute presentation of application to FIND Board. Meeting held in Brevard County.

July 13, 2012      FIND Board reviews additional requested information and the Commissioners will complete the Application's Rating & Evaluation Form. Board makes final funding decisions on remaining eligible applications (subject to budget process).

Last week of Sept.      A date will be scheduled for Final TRIM Hearing. All remaining permits due. *(Note: Meeting date subject to change)*

Late September      Funded applicants execute project agreement.

October 01, 2012      Project funds become available, project initiates, timeline begins.

**ATTACHMENT B**  
**BOARD OF COMMISSIONERS – FIND**

|   |   |
|---|---|
| <p style="text-align: center;"><b>NASSAU COUNTY</b></p> <p>Mr. Norman Bray<br/> 63 Sea Marsh Road<br/> Amelia Island, FL 32034<br/> Ph# (904) 261-4060<br/> <a href="mailto:njbray@comcast.net">njbray@comcast.net</a></p>  | <p style="text-align: center;"><b>DUVAL COUNTY</b></p> <p>Mr. Aaron Bowman<br/> c/o BAE Systems Southeast Shipyards<br/> 8500 Heckscher Driver<br/> Jacksonville, FL 32226-2435<br/> Ph# (904) 251-1678<br/> <a href="mailto:aaron.bowman2@baesystems.com">aaron.bowman2@baesystems.com</a></p>                 |
| <p style="text-align: center;"><b>ST. JOHNS COUNTY</b></p> <p>Mr. Carl Blow<br/> 100 Santa Monica Avenue<br/> St. Augustine, FL 32080-5417<br/> Ph# (904) 710-2655<br/> <a href="mailto:john.carl.blow@gmail.com">john.carl.blow@gmail.com</a></p>  | <p style="text-align: center;"><b>FLAGLER COUNTY</b></p> <p>Mr. Jon Netts<br/> 17 Flintstone Court<br/> Palm Coast, FL 32137<br/> Ph# (386) 445-2121<br/> <a href="mailto:jnetts@ci.palm-coast.fl.us">jnetts@ci.palm-coast.fl.us</a></p>  |
| <p style="text-align: center;"><b>VOLUSIA COUNTY</b></p> <p>Mrs. Nancy Freeman<br/> P.O. Box 567<br/> Edgewater, FL 32132-0567<br/> Ph # (386) 334-4384<br/> <a href="mailto:cudas67@aol.com">cudas67@aol.com</a></p>   | <p style="text-align: center;"><b>BREVARD COUNTY</b></p> <p>Mr. Jerry H. Sansom<br/> P.O. Box 98<br/> Cocoa, FL 32923<br/> Ph# (321) 777-8130<br/> <a href="mailto:jerryhsansom@aol.com">jerryhsansom@aol.com</a></p>   |
| <p style="text-align: center;"><b>INDIAN RIVER COUNTY</b></p> <p>Mr. Bruce Barkett<br/> 756 Beachland Blvd.<br/> Vero Beach, FL 32963<br/> Ph# (772) 231-4343<br/> <a href="mailto:bbarkett@verolaw.com">bbarkett@verolaw.com</a></p>   | <p style="text-align: center;"><b>ST. LUCIE COUNTY</b></p> <p>Ms. Gail Kavanagh<br/> 6560 S. Federal Highway<br/> Port St. Lucie, FL 34952-9031<br/> Ph# (772) 370-5494<br/> <a href="mailto:gailfind@gmail.com">gailfind@gmail.com</a></p>   |
| <p style="text-align: center;"><b>MARTIN COUNTY</b></p> <p>Mr. Donald J. Cuzzo<br/> Cuzzo Design Group<br/> 819 SW Federal Highway, Suite 106<br/> Stuart, FL 34994<br/> Ph # (772) 485-1600<br/> <a href="mailto:dcuzzo@cdgplan.com">dcuzzo@cdgplan.com</a></p>                                    | <p style="text-align: center;"><b>PALM BEACH COUNTY</b></p> <p>Mr. Donn Colee<br/> 4168 Hyacinth Circle South<br/> Palm Beach Gardens, FL 33410<br/> Ph# (561) 379-5600<br/> <a href="mailto:donncolee@gmail.com">donncolee@gmail.com</a></p>   |
| <p style="text-align: center;"><b>BROWARD COUNTY</b></p> <p>Mr. Tyler Chappell<br/> The Chappell Group – Vice President<br/> 714 East McNab Road<br/> Pompano Beach, FL 33060<br/> Ph # (954) 782-1908 ext. 300<br/> <a href="mailto:tyler@thechappellgroup.com">tyler@thechappellgroup.com</a></p> | <p style="text-align: center;"><b>MIAMI-DADE COUNTY</b></p> <p>Mr. Spencer Crowley, III<br/> C/o Akerman Senterfitt<br/> One Southeast Third Ave. 25<sup>th</sup> Floor<br/> Miami, FL 33131-1714<br/> Ph# (305) 982-5549<br/> <a href="mailto:spencer.crowley@akerman.com">spencer.crowley@akerman.com</a></p> |

ATTACHMENT C

**2012 ASSISTANCE PROGRAM PROJECT PRIORITY LIST**

| <b><u>PRIORITY</u></b> | <b>PROJECT CATEGORY</b>   | <b>MAX POINTS AVAILABLE (Question #1)</b> | <i>Highest Potential Score</i> |
|------------------------|---|---|--------------------------------|
| 1.                     | Public navigation channel dredging.   | 8   | 50                             |
| 2.                     | Public navigation aids & markers.   | 8   | 50                             |
| 3.                     | Inlet management projects that are a benefit to public navigation in the District.  | 7   | 49                             |
| 4.                     | Public shoreline stabilization directly benefiting the District's waterway channels.  | 7   | 49                             |
| 5.                     | Acquisition and development of publicly owned spoil disposal sites & public commercial/industrial waterway access                           | 6   | 48                             |
| 6.                     | Waterway signs & buoys for safety, regulation or information.   | 6   | 48                             |
| 7.                     | Acquisition, dredging, shoreline stabilization and development of public boat ramps and launching facilities;                               | 5   | 47                             |
| 8.                     | Acquisition, dredging, shoreline stabilization and development of public boat docking and mooring facilities;                               | 5   | 47                             |
| 9.                     | Derelict vessel removal   | 4   | 46                             |
| 10.                    | Waterway related environmental education programs & facilities  | 4   | 46                             |
| 11.                    | Public fishing & viewing piers  | 3   | 45                             |
| 12.                    | Public waterfront parks and boardwalks and associated improvements  | 3   | 45                             |
| 13.                    | Maritime Management Planning  | 3   | 45                             |
| 14.                    | Waterway boating safety programs & equipment  | 2   | 44                             |
| 15.                    | Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project | 2   | 44                             |
| 16.                    | Environmental restoration, enhancement or mitigation projects   | 2   | 44                             |
| 17.                    | Other waterway related projects.  | 1   | 43                             |

**NOTE:** Projects qualifying for Emergency Re-Construction status may have an additional 3 points available to the potential score.

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### CHAPTER 66B-2 — WATERWAYS ASSISTANCE PROGRAM (2012)

|            |  |
|------------|--|
| 66B-2.001  | Purpose.   |
| 66B-2.002  | Forms.   |
| 66B-2.003  | Definitions.   |
| 66B-2.004  | Policy.  |
| 66B-2.005  | Funds Allocation.  |
| 66B-2.006  | Application Process.   |
| 66B-2.0061 | Disaster Relief Applications.                                  |
| 66B-2.007  | Application Form. (Repealed)                                   |
| 66B-2.008  | Project Eligibility.   |
| 66B-2.009  | Project Administration.  |
| 66B-2.010  | Project Agreement. (Repealed)                                  |
| 66B-2.011  | Reimbursement.   |
| 66B-2.012  | Accountability.  |
| 66B-2.013  | Acknowledgement.   |
| 66B-2.014  | Small-Scale Spoil Island Restoration and Enhancement Projects. |
| 66B-2.015  | Small-Scale Derelict Vessel Removal Projects.                  |
| 66B-2.016  | Waterways Cleanup Events.                                      |

#### **66B-2.001 - Purpose.**

Recognizing the importance and benefits of inland navigation channels and waterways, as well as noting problems associated with the construction, continued maintenance and use of these waterways, the Florida Legislature created Section 374.976, F.S. This law authorizes and empowers each inland navigation district to undertake programs intended to alleviate the problems associated with its waterways. The purpose of this rule is to set forth the District's policy and procedures for the implementation of an assistance program under Section 374.976, F.S., for local governments, member counties and navigation related districts within the District. This program will be known hereafter as the Florida Inland Navigation District's Waterways Assistance Program.

*Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Formerly 16T-2.001.*

#### **66B-2.002 - Forms.**

All forms for the administration of this program are available from the District office located at 1314 Marcinski Road, Jupiter, Florida 33477.

*Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Formerly 16T-2.002.*

#### **66B-2.003 - Definitions.**

The basic terms utilized in this rule are defined as follows:

(1) "APPLICANT" means an eligible governmental agency submitting an application through this program.

(2) "APPLICATION" means a project proposal with the required documentation.

(3) "AUTHORIZED SUBMISSION PERIOD" means the established period for submitting applications to the District.

(4) "BEACH RENOURISHMENT" means the placement of sand on a beach for the

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navigation channels.

All other public navigation projects or project elements must have a minimum of one facility open to the public and will only qualify for up to fifty percent (50%) program funding. Dredging that is associated or ancillary to another use (such as a boat ramp, marina or pier) will be prioritized according to the associated use.

**(7) Land Acquisition:** All land acquisition projects shall qualify for a maximum of twenty-five (25) percent program funding. All pre-agreement expenses for land acquisition must be completed within one-year of the date of application for funding. All funded land acquisition projects must construct the required boating access facility within 7 years of completion of the land acquisition, or the District may require the applicant to refund the program funding.

**(8) Seaport Funding Eligibility:** Financial assistance to seaports may exceed the proportional share of the District's ad valorem tax collections as set forth in subsection 66B-2.005(1), F.A.C., from the county in which such seaport is located if the seaport can demonstrate that a regional benefit occurs from the port's activities. Financial assistance to a seaport project that demonstrates a regional benefit shall not exceed an amount equal to (i) the proportional share of the District's ad valorem tax collections as set forth in subsection 66B-2.005(1), F.A.C., from the counties where the benefit is demonstrated less (ii) funding allocated in the same fiscal year to all other local government projects funded in those counties.

*Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1), (3) FS. History—New 12-17-90, Amended 6-24-93, 9-5-96, 2-6-97, Formerly 16T-2.005, Amended 5-17-98, 8-26-99, 3-21-01, 7-30-02, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 4-1-09, 3-7-11, \_\_\_-\_\_\_-12.*

### **66B-2.006 - Application Process.**

(1) Application Period: With the exception of eligible Disaster Relief Projects, eligible Small-Scale Spoil Island Restoration and Enhancement Projects eligible Small-Scale Derelict Vessel Applications and Waterway Cleanup Events, all applications for assistance through this program will be submitted during the authorized submission period that shall be established by vote of the Board at a scheduled meeting.

(2) Application Forms: Florida Inland Navigation District Waterways Assistance Program Project Application FIND Form Number 90-22 (effective date 4-24-06) and 93-22a, Project Information – Navigation Related Districts (effective date 4-24-06) are hereby incorporated by reference and available from the District office. With the exception of projects eligible under the Small-Scale Spoil Island Restoration and Enhancement program, the Small-Scale Derelict Vessel program, and eligible Waterway Cleanup Events, all applications for financial assistance and support through this program from member counties and local governments shall be made on Form Number FIND 90-22 and shall include a detailed cost estimate submitted on FIND Form No. 90-25, Florida Inland Navigation District Assistance Program Project Cost Estimate, (effective date 4-24-06), hereby incorporated by reference and available from the District office. All applications for financial assistance and support through this program from navigation related districts shall be made on FIND Form Number 93-22 (effective date 4-24-06), hereby incorporated by reference and available from the District office, and shall include a detailed cost estimate submitted on FIND Form No. 90-25. In addition, all applicants shall submit a complete and detailed Project Timeline (FIND FORM No. 96-10) (effective date 4-15-07).

(3) Sponsor Resolution: The project sponsor shall approve the submission of an application by official resolution from its governing board or commission. Said resolution shall be made on FIND Form No. 90-21, Resolution for Assistance Under the Florida Inland Navigation District Waterways Assistance Program (effective date 10-14-92), hereby incorporated by reference and available from the District office.

(4) Attorney's Certification: If the application is for a project that is a land based development

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project the applicant shall submit an Attorney's Certification of Title, FIND Form Number 94-26 (effective date 5-25-00), hereby incorporated by reference and available from the District office.

(5) Maps and Geographic Information: All applicants shall be required to submit, at minimum, the following geographic information: A County location map, a project location map, a project boundary map, and a clear and detailed site development map for land development projects.

(6) Application Review: Applicants shall obtain the local FIND Commissioner's initials on Form No. 90-26 prior to submitting the application to the District office. It is the applicant's responsibility to make timely arrangements for the local FIND Commissioner's review. In the absence of extenuating circumstances outside of the applicant's control as determined by the Board of Commissioners, an application shall not be considered complete if it does not include the local FIND commissioner's initials on Form No. 90-26. Upon receipt in the District office, staff will review the applications for completeness of the informational requirements identified in the Application Checklist, FIND Form Number 90-26 (effective date 7-30-02), and for compliance with the eligibility requirements of this rule. When an application is determined by staff to be incomplete or ineligible, staff will immediately inform the applicant by mail. The applicant will then have until the date established by the Board in the application package to bring the application into compliance. If the applicant fails to provide a complete application in compliance with these rules, the application will not be considered for funding. In order to have a complete application, the applicant shall not only submit the forms required under Rule 66B-2.006, F.A.C., and any other information requirements identified in the Application Checklist (FIND Form Number 90-26), but such forms and other submitted information must be completely filled out, executed as applicable, and also establish compliance with Chapter 66B-2, F.A.C.

(7) Interlocal Agreements: Applications that the Board determines will directly benefit the maintenance of the Atlantic Intracoastal Waterway channel as documented by the District's long range dredged material management plans, will directly benefit the maintenance of the Okeechobee Waterway channel as documented by the District's long range dredged material management plan, will directly benefit the maintenance or improvement of District property, right-of-way or navigation interests, or have multiple funding partners including the Corps of Engineers as the project manager can qualify for project assistance through an interlocal agreement pursuant to Chapter 163, F.S., or Section 374.984(6)(a), F.S. District staff will identify these applications and present them to the Board for their determination as to funding. Interlocal agreement projects shall comply with all other provisions of this rule, except for pre-agreement expenses, permitting and property control requirements.

(8) Application Presentations: Applications determined to be complete and in compliance with this rule will be forwarded to the Board for review and then scheduled for presentation to the Board at a scheduled meeting of the Board. Applicants can decline to make a presentation to the Board by submitting a written request.

(9) Application Evaluation and Rating Score: Following the presentations, the Board will review the applications and evaluate them using the Waterways Assistance Program Application Evaluation and Rating Worksheets No. 91-25 (a thru f) for Waterways Assistance Program applications, and 93-25 (a, b and c) Waterways Assistance Program Navigation Related Districts applications. The total points awarded to each application by the Commissioners will be averaged to determine an application's final rating score. The final rating score for each application must equal or exceed 35 points for the application to be considered for funding assistance. Reconsideration of any application with a final rating score of less than 35 points will only occur if the majority of the Commissioners evaluating the project rated the project equal to or exceeding 35 points and two-thirds of the Commissioners vote for reconsideration of the application. Only Applicants that are eligible under Rule 66B-2.0061, F.A.C., "Disaster Relief Applications", shall complete FIND Form No. 91-25F Emergency Re-Construction (effective date 4-24-06).

(10) Funding Determination: The Board will hold a funding allocation meeting at which time

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the Board will determine the allocation of funds, if any, to each project and the projects will be ranked by overall average score to facilitate final funding decisions by the Board. Allocations will be based in part upon the cumulative score of the applications as calculated from the Project Evaluation and Rating Form. Allocations will also be based upon the specific needs of the individual counties.

*Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History–New 12-17-90, Amended 9-2-92, 6-24-93, 4-12-95, Formerly 16T-2.006, Amended 5-25-00, 3-21-01, 7-30-02, 3-20-03, 4-21-05, 4-24-06, 4-15-07, 3-25-08.*

### **66B-2.0061 - Disaster Relief Applications.**

Disaster Relief applications may be submitted to the District and considered by the Board at any time during the year to provide assistance to an eligible applicant for the removal of navigation obstructions and repair or replacement of waterway facilities damaged by a declared natural disaster. The District shall consider these applications in accordance with these rules.

*Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History–New 6-24-93, Amended 2-6-97, Formerly 16T-2.0061, Amended 4-24-06.*

### **66B-2.008 — Project Eligibility.**

(1) Eligible Projects: Financial assistance and support through this program shall be used to plan or carry out public navigation and anchorage management, public recreation, environmental education, boating safety, acquisition and development of spoil sites and publicly owned commercial/industrial waterway access directly related to the waterways, acquisition and development of public boat ramps, launching facilities and boat docking and mooring facilities, inlet management, maritime management planning, environmental mitigation and beach renourishment.

(a) Program funds may be used for projects such as acquisition, planning, development, construction, reconstruction, extension, or improvement, of the following types of projects for public use on land and water. These project types will be arranged into a priority list each year by vote of the Board. The priority list will be distributed to applicants with the project application.

1. Public navigation channel dredging;
2. Public navigation aids and markers;
3. Inlet management projects that are a benefit to public navigation in the District;
4. Public shoreline stabilization directly benefiting the District's waterway channels;
5. Acquisition and development of publicly owned spoil disposal site and public commercial/industrial waterway access;
6. Waterway signs and buoys for safety, regulation or information;
7. Acquisition, dredging, shoreline stabilization and development of public boat ramps and launching facilities;
8. Acquisition, dredging, shoreline stabilization and development of public boat docking and mooring facilities;
9. Derelict Vessel Removal;
10. Waterways related environmental education programs and facilities;
11. Public fishing and viewing piers;
12. Public waterfront parks and boardwalks and associated improvements;
13. Maritime Management Planning;
14. Waterways boating safety programs and equipment;
15. Beach renourishment on beaches adversely impacted by navigation inlets, navigation

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structures, navigation dredging, or a navigation project; and

16. Environmental restoration, enhancement or mitigation projects and

17. Other waterway related projects.

(b) Ineligible Projects or Project Elements. Project costs ineligible for program funding or matching funds will include: contingencies, miscellaneous, reoccurring personnel related costs, irrigation equipment, ball-courts, park and playground equipment, and any extraneous recreational amenities not directly related to the waterway such as the following:

1. Landscaping that does not provide shoreline stabilization or aquatic habitat;
2. Restrooms for non-waterway users;
3. Roadways providing access to non-waterway users;
4. Parking areas for non-waterway users;
5. Utilities for non-waterway related facilities;
6. Lighting for non-waterway related facilities;
7. Project maintenance and maintenance equipment;
8. Picnic shelters and furniture;
9. Vehicles to transport vessels;
10. Operational items such as fuel, oil, etc.

11. Office space that is not incidental and necessary to the operation of the main eligible public building; and

12. Conceptual project planning, including: cost-benefit analysis, public surveys, opinion polls, public meetings, and organizational conferences.

(c) Project Elements with Eligibility Limits: Subject to approval by the Board of an itemized expense list:

1. The following project costs will be eligible for program funding or as matching funding if they are performed by an independent contractor:

- a. Project management, administration and inspection;
- b. Design, permitting, planning, engineering or surveying costs for completed construction project;
- c. Restoration of sites disturbed during the construction of an approved project;
- d. Equipment costs.

Before reimbursement is made by the District on any of the costs listed in subparagraph 1. above, a construction contract for the project, approved and executed by the project sponsor and project contractor must be submitted to the District.

2. Marine fire-fighting vessels are eligible for a maximum of \$60,000 in initial District funding. Marine law enforcement and other vessels are eligible for a maximum of \$30,000 in initial District funding. All future replacement and maintenance costs of the vessel and related equipment will be the responsibility of the applicant.

3. Waterway related environmental education facility funding will be limited to those project elements directly related to the District's waterways.

(d) Phasing of Projects: Applications for eligible waterway projects may be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work shall be submitted along with the Phase I application for Board review.

(2) Property Control: The site of a new proposed land-based development project, with the exception of those projects requesting Small-Scale Spoil Island Restoration and Enhancement funding, shall be dedicated for the public use for which the project was intended for a minimum period of 25 years after project completion. Such dedication shall be in the form of a deed, lease, management agreement or other legally binding document and shall be recorded in the public property records of the county in which the property is located. This property control requirement also applies to a project site owned by another governmental entity. The governmental entity that

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owns the project site may be joined as a co-applicant to meet this property control requirement. Existing land based development projects that are being repaired, replaced or modified must demonstrate that the project site has been dedicated for public use for at least 25 years with at least 10 years remaining on the dedication document. Property shall also be deemed dedicated for public use if:

(a) The property has been designated for the use for which the project is intended (even though there may have been no formal dedication) in a plat or map recorded prior to 1940, or

(b) The project sponsor demonstrates that it has had exclusive control over the property for the public use for which the project is intended for a period of at least 30 years prior to submission of the application, or

(c) There is no ongoing litigation challenging the designated use of the property as shown on the plat or map, nor has there been any judicial determination contrary to the use by the public for the use shown on the plat or map.

(3) Permits: The project sponsor is responsible for obtaining and abiding by any and all federal, state and local permits, laws, proprietary authorizations and regulations in the development and operation of the project. Applicants for construction projects that include elements that require state or federal environmental permits or proprietary authorizations will demonstrate that all required environmental permitting and authorizations will be completed by the District's final TRIM hearing. This demonstration will be by submission of the required environmental permit(s) and authorizations, or by submission of a letter from the agency(s) stating that a permit or authorization is not required. Should the environmental permitting element of an application that has construction elements requiring state or federal environmental permits or authorizations not be completed by the District's final TRIM hearing, the construction portion of the project will not be considered for funding. Whereby funding decisions are completed at the final TRIM hearing, the District will not deviate from the funding schedule to accommodate any application deficiency.

(4) Public Marina Qualifications: All public marina projects funded through this program shall include sewage pumpout facilities for vessels, unless the applicant can demonstrate that inclusion of such a facility is physically, operationally or economically impracticable. All public marina projects funded through this program shall have at least ten percent (10%) of their slips or mooring areas available for transient vessels. Public marina dockage rates shall be within market comparison of the dockage rates of other area marinas. The public marina will be required to establish and maintain an accounting of the funds for the facility and shall plan for and retain at all times sufficient funds for the on-going maintenance of the facility during its project life.

(5) The District may assist eligible local governments with efforts to prepare and implement a comprehensive maritime management plan. The plan shall be utilized by the eligible government to promote and maximize the public benefit and enjoyment of eligible waterways, while identifying and prioritizing the waterway access needs of the community. The plan should not duplicate any existing or ongoing efforts for the same waterway or water shed, nor shall the District participate in any effort that does not address the basic maritime needs of the community.

(a) The District shall participate in one plan per County. Existing plans may be updated at reasonable intervals or amended to include waterway areas previously not included in the original effort. Public, government, environmental, industry and other pertinent interest groups shall be solicited and included for input in the planning process.

(b) The plan shall be utilized as a tool to provide a minimum 5-year planning analysis and forecast for the maritime needs of the community, and shall include, at minimum, the following:

1. Public boat ramp & ramp parking inventory and analysis.
2. Public mooring and docking facility analysis, including day docks and transient slips.
3. Commercial and working waterfront identification and needs analysis.

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4. The identification, location, condition and analysis of existing and potential navigation channels.
5. An inventory and assessment of accessible public shorelines.
6. Public Waterway transportation needs.
7. Environmental conditions that affect boat facility siting, a current resource inventory survey, and restoration opportunities.
8. Economic conditions affecting the boating community and boating facilities.
9. Acknowledgment and coordination with existing data and information, including an emphasis on the Intracoastal Waterway.

3) Projects requested for assistance program funding shall be consistent with the applicant's maritime management plan. The applicant should utilize the plan to assist in prioritizing waterway improvement projects.

(6) All eligible environmental restoration, enhancement or mitigation projects as well as the environmental restoration, enhancement or mitigation components of other types of projects shall be required to assign the mitigation credits to the District for that share of the project funded through the District's Assistance Program. All eligible environmental restoration, enhancement or mitigation projects shall provide public access where possible.

(7) Final Decisions: The Board will make all final decisions on the eligibility of a Project or specific project costs.

*Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 12-17-90, Amended 9-2-92, 6-24-93, 2-3-94, 4-12-95, 9-5-96, 2-6-97, Formerly 16T-2.008, Amended 5-17-98, 3-31-99, 5-25-00, 3-21-01, 7-30-02, 3-20-03, 3-3-04, 4-15-07, 3-25-08, 4-1-09, 2-22-10, 3-7-11, \_\_-\_\_-12.*

### **66B-2.009 — Project Administration.**

The District will appoint a project manager who shall be responsible for monitoring the project and the project agreement. The project manager shall also be responsible for approving all reimbursement requests. The project sponsor shall appoint a liaison agent, who will be a member of the eligible applicant's staff, to act on its behalf in carrying out the terms of the project agreement. Administration of the project will be as follows:

(1) Project Agreement: For each funded project, the District and the project sponsor will enter into a project agreement. The project agreement shall be executed and returned by the project sponsor within six (6) months of the approval of the project funding and prior to the release of program funds, setting forth the mutual obligations of the parties concerning the project. The project agreement shall incorporate the applicable policies and procedures of the program as outlined in this rule. Project agreements will be for a two-year period with the possibility for one, one-year extension. Any request for a one-year extension of funding shall require submittal by the PROJECT SPONSOR of a request for extension to the DISTRICT no later than July of fiscal year two of the approved project. This request will then be considered by the DISTRICT Board, whose decision shall be final. In review of these requests, the Board will take into consideration the current status and progress of the project and the ability of the applicant to complete the project within one additional year.

(2) Matching Funds: The project sponsor shall clearly identify and enumerate the amount and source of the matching funds it will be using to match the program funds supplied by the District for an approved project. The project sponsor shall provide suitable evidence that it has the matching funds available at the time the project agreement is executed.

(3) Agreement Modification: All proposed changes to the project agreement must be submitted

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to the District in writing by the project sponsor accompanied by a statement of justification for the proposed changes. All project agreement amendments shall be approved by the District Board, except that the Executive Director may approve a minor project agreement amendment for a project within a county with the local District commissioner's concurrence. A minor project amendment shall not change the approved project's category, result in a reallocation of more than 35% of the approved funding of the project among project elements, nor allow for a greater than 35% change in the project scale or scope of work. Project agreement amendments will not include a change to the approved project's location or a change in the approved project's purpose or project type. Agreed changes shall be evidenced by a formal amendment to the project agreement and shall be in compliance with these rules.

(4) Project Reporting: The liaison agent will submit quarterly reports to the project manager summarizing the work accomplished since the last report, problems encountered, percentage of project completion and other appropriate information. These reports shall continue throughout the length of the project period until completion of the project. The report shall be submitted on Form 95-02, "Assistance Program Project Quarterly Status Report", dated 7-30-02, hereby incorporated by reference and available at the District office.

(5) Reimbursement Requests: The liaison agent may submit periodic reimbursement requests during the project period in accordance with Rule 66B-2.011, F.A.C. The project manager will approve or disapprove all reimbursement requests. The final payment of program funds will be made upon certified completion of the project by the District.

(6) Project Inspection: Upon reasonable request, the project manager shall have the right to inspect the project and any and all records relating to the project.

(7) Project Completion: The project shall be completed within three (3) years of the date of the beginning of the District's first fiscal year for which the project was approved. If the completion of a project is impacted by a declared state of emergency and the Board waives this rule section, the extension of time granted shall not exceed one additional three (3) year period.

(8) Project Completion Requirements: Upon completion of the project, the liaison agent shall provide the following to the project manager:

(a) A Project Completion Certificate, FIND Form No. 90-13 (effective date 7-30-02), hereby incorporated by reference and available from the District office, which certifies that the project was completed in accordance with the project agreement and the final project plans.

(b) A final reimbursement request accompanied by all required billing statements and vouchers.

(c) Photograph(s) showing the installation of the sign required by Rule 66B-2.013, F.A.C.

(d) Photograph(s) of the completed project clearly showing the program improvements.

(9) Project Completion Review: The project manager will review the project completion package and will authorize or reject the final reimbursement payment which will include all retained funds from previous requests.

*Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Formerly 16T-2.009, Amended 3-21-01, 7-30-02.*

### **66B-2.011 - Reimbursement.**

The District shall release program funds in accordance with the terms and conditions set forth in the project agreement. This release of program funds shall be on a reimbursement only basis. The District shall reimburse the project sponsor for project costs expended on the project in accordance with the project agreement. Project funds to be reimbursed will require the submission of a Reimbursement Request Form and required supporting documents, FIND Form No. 90-14 (effective date 7-30-02) hereby incorporated by reference and available from the District office.

(1) Authorized Expenditures: Project funds shall not be spent except as consistent with the project agreement cost estimate that was approved by the Board, which shall be an attachment to the

## ATTACHMENT D

project agreement. This cost estimate will establish the maximum funding assistance provided by the District and the percentage of funding provided by each party to the project. The District will pay the lesser of:

- (a) The percentage total of project funding that the Board has agreed to fund, or
- (b) The maximum application funding assistance amount.

(2) Phase I Reimbursement: In accordance with these rules, reimbursement cannot be made on a Phase I application until a construction contract is executed by the applicant for the construction phase of the project. If the Phase I project is completed but a construction contract is not executed by the three (3) year project deadline, then the District shall only allow one (1) year from the Phase I project deadline to enter into the required construction contract before the Phase I funding is cancelled.

(3) Reimbursement Requests: All project costs shall be reported to the District and summarized on the Reimbursement Request Form. All requests for reimbursement shall include supporting documentation such as billing statements for work performed and cancelled payment vouchers for expenditures made.

(4) Retainage: The District shall retain ten percent (10%) of all reimbursement payments until final certification of completion of the project. The District shall withhold any reimbursement payment, either in whole or part, for non-compliance with the terms of this agreement.

(5) Check Presentations: A District representative shall present the final reimbursement check to the project sponsor during a public commission meeting or public dedication ceremony for the project facility.

(6) Recovery of Additional Project Funding: If the project sponsor receives additional funding for the project costs from another source that was not identified in the original application and that changes the agreement cost-share percentage, the project sponsor shall proportionately reimburse the District's program funds equal to the cost-share percentage in the approved project agreement. The project sponsor shall promptly notify the District of any project payments it receives from a source other than the District.

*Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Amended 6-24-93, Formerly 16T-2.011, Amended 3-31-99, 7-30-02. \_\_-\_\_-11*

### **66B-2.012 - Accountability.**

The following procedures shall govern the accountability of program funds:

(1) Accounting: Each project sponsor is responsible for maintaining an accounting system which meets generally accepted accounting principles and for maintaining such financial records as necessary to properly account for all program funds.

(2) Quarterly Reports: The project sponsor shall submit quarterly project status reports to FIND in accordance with subsection 66B-2.009(4), F.A.C.

(3) Completion Certification: All required final completion certification documents and materials as outlined in subsection 66B-2.009(8), F.A.C., of this rule shall be submitted to the District prior to final reimbursement of program funds.

(4) Auditing: All project records including project costs shall be available for review by the District or by an auditor selected by the District for 3 years after completion of the project. Any such audit expenses incurred shall be borne entirely by the project sponsor.

(5) Project Records: The project sponsor shall retain all records supporting project costs for three years after either the completion of the project or the final reimbursement payment, whichever is later, except that should any litigation, claim, or special audit arise before the expiration of the three year period, the project sponsor shall retain all records until the final resolution of such matters.

(6) Repayment: If it is found by any State, County, FIND, or independent audit that program

**FY 2012**

**WATERWAYS ASSISTANCE**

**PROGRAM**

**APPLICATION PACKAGE**

THE FOLLOWING FORMS, IN ADDITION TO THE REQUIREMENTS OF ITEMS 10 THROUGH 14 OF THE APPLICATION CHECKLIST, CONSTITUTE YOUR FORMAL APPLICATION.

SUBMIT THE APPLICATION INFORMATION IN THE ORDER LISTED ON THE CHECKLIST.

**ONE ORIGINAL AND ONE ELECTRONIC COPY OF YOUR APPLICATION IS REQUIRED.**

## ATTACHMENT E - APPLICANT TIPS SHEET

(Mistakes Common to the application process and how to avoid them)

**Scheduling** – The new application is available by the 2<sup>nd</sup> week of January each year, and District funding is available AFTER October 1<sup>st</sup> of each year. Applicants should plan their schedule to avoid commonly missed deadlines: Application due – 2<sup>nd</sup> of April; Property Control – 1<sup>st</sup> of June, Permits – 3<sup>rd</sup> week of September. *(Staff suggestion: Beging to secure property control and permits PRIOR to applying for funding.)*

**Property Control Verification** – Please have your attorney complete and sign the form in the application verifying applicant property control. Support documentation is not necessary. In the case of leases or management agreements, please forward a copy to the District well in advance of the deadline to verify consistency with our program rules. *(Staff suggestion: Resolve this requirement outside the application "window".)*

**Project Costs Eligibility** – Please note the eligible project costs in Rule Section 66B-2.008, F.A.C. If you are not sure about an item's eligibility, ask! Note: Any ineligible cost, including in-house project management and administration, is also not eligible for an applicant's match. Make sure you have delineated your required minimum cost-share on the project cost estimate. *(Staff suggestion: If you have questions about the eligibility of an item, work up a mock cost-sheet and send it to our office well before the deadline. Do not include applicant project management in your cost estimate).*

**Cost-Share** – Although the applicant must provide a minimum of 50% of the total project costs (25% for eligible public navigation dredging), there is no specific requirement to split each item. You may desire to have the District pay for some items and the applicant pay for others, or various percentages of each, etc. This may allow for a stronger application and easier accounting. *(Staff suggestion: Concentrate the District's cost-share funding into those items most related to the waterway.)*

**Pre-Agreement Expenses** - Rule 66B-2.005(3), F.A.C. requires any activity in the submitted project cost estimate occurring PRIOR to October 1<sup>st</sup> to be considered as pre-agreement expenses. The Board's past philosophy has been to fund only those projects that require District funding assistance to be completed. It is best to avoid pre-agreement expenses if possible, or limit them to a small percentage of the project. Note, that pre-agreement expenses must be limited to 50% or less of the total project costs, and they are eligible for only ½ of the original District funding. *(Example: A project with a total cost of \$200,000 is Board-approved for one-half construction PRIOR to October 1<sup>st</sup>. In this case, District funding will be limited as follows: Only 50% of the \$100,000 project cost prior to October 1<sup>st</sup> is eligible as project expenses (i.e. \$50,000). Then only ½ of the eligible project expenses (\$50,000) are eligible for District funding assistance (i.e. \$25,000).*

**Submitted Materials & June Presentation** – Each year ambitious applicants submit a myriad of information with their application. The Board must review and evaluate every application and each year we receive about 70 applications for consideration. The final product for the Commissioner's review is two 8-1/2" x 11" spiral-bound notebooks containing the essential information for the application. **If the submitted material will not fit in these bound notebooks, it is discarded. NOTE; also make sure your final submitted material is the same material you will be presenting to the Board at our June meeting. This will avoid confusion and strengthen your presentation.** *(Staff suggestion: Limit the submitted materials to the requested information, in the required format and make sure it is consistent with your June presentation. Do not submit additional material at the June presentation! Don't create unnecessary work for yourself!)*

**ELECTRONIC SUBMISSIONS** - Submit your electronic file in Word or PDF format on a CD, DVD or flash drive only (no internet submissions). Make sure to label your disc with the applicant and project title *(handwritten is fine)*. Where feasible, you may combine multiple files from the same grant into one larger file on the disc (i.e. scan the entire document as a PDF etc.). Note however, each grant application must be a separate electronic file, but you may combine multiple grants from the same applicant on to one disc or drive.



**ATTACHMENT E-2.  
APPLICATION CHECKLIST 2012**  
(To be completed by the Applicant)

**This checklist and the other items listed below in items 1 through 14 constitute your application. The required information shall be submitted in the order listed.**

**Any additional information submitted by the applicant is subject to being removed from the package by District staff prior to presentation to the District Board because of reproduction and space considerations.**

**Two (2) copies of your application are required. One original and one electronic copy.**

**All information (except maps) is required to be on 8 1/2" x 11" paper.**

**Maps and drawings may be on 8 1/2" x 14" paper and folded to 8 1/2" x 11" so that they may be included to hole punch and bound by staff.**

|  | <u>YES</u> | <u>NO</u> |
|--|------------|-----------|
| 1. District Commissioner Review (prior to March 01)<br><b>(NOTE: <u>For District Commissioner initials ONLY!</u></b><br><b>(District Commissioner must initial the yes line on this checklist for the application to be deemed complete)</b> | _____      | _____     |
| 2. Applicant Info/Project Summary – E-1 (Form No. 90-22, 1 page)<br><b>(Form must be completed and signed)</b>   | _____      | _____     |
| 3. Application Checklist – E-2 (Form No. 90-26, 2 pages)<br><b>(Form must be signed and dated)</b>   | _____      | _____     |
| 4. Project Information – E-3 (Form No. 90-22a, 1 page)   | _____      | _____     |
| 5. Project Evaluation and Rating – E-4 <sub>(+)</sub> (Form No. 91-25)<br>(Form must be completed, proper attachment included)<br><b>(No signatures required)</b>  | _____      | _____     |
| 6. Project Cost Estimate – E-5 (Form No. 90-25, 1 page)<br><b>(Must be on District form)</b>   | _____      | _____     |
| 7. Official Resolution Form – E-6 (Form No. 90-21, 2 pages)<br><b>(Resolution must be in District format and include items 1-6)</b>  | _____      | _____     |
| 8. Attorney’s Certification (Land Ownership) – E-7<br><b>(Must be on or follow format of Form No. 94-26,<br/>(Legal descriptions NOT accepted in lieu of form)</b>   | _____      | _____     |

**ATTACHMENT E-2 (Continued)**  
**APPLICATION CHECKLIST**  
 (To be completed by the Applicant)

- |     |   |       |       |
|-----|---|-------|-------|
| 9.  | Project Timeline – E-8 (Form No. 96-10, 1 page)                           | _____ | _____ |
| 10. | County Location Map   | _____ | _____ |
| 11. | City Location Map (if applicable)   | _____ | _____ |
| 12. | Project Boundary Map  | _____ | _____ |
| 13. | Clear & Detailed Site Development Map                                     | _____ | _____ |
| 14. | Copies of all Required Permits<br>(Required of development projects only) | _____ | _____ |

The undersigned, as applicant, acknowledges that Items 1 through 13 above constitutes a complete application and that this information is due in the District office no later than 4:30 PM, April 02, 2012. By June 01, 2012 my application must be deemed complete (except for permits) or it will be removed from any further consideration by the District. I also acknowledge that the information in Item 14 is due to the District no later than the final TRIM Hearing in September 2012. If the information in Item 14 is not submitted to the District office by the District’s final TRIM hearing in September 2012, I am aware that my application will be removed from any further funding consideration by the District.

APPLICANT: \_\_\_\_\_ APP. TITLE: \_\_\_\_\_

\_\_\_\_\_  
**\*\* SIGNATURE - APPLICANT’S LIAISON \*\*** \_\_\_\_\_  
DATE

**FIND OFFICE USE ONLY**

Date Received: \_\_\_\_\_

Local FIND Commissioner Review: \_\_\_\_\_

All Required Supporting Documents: \_\_\_\_\_

Applicant Eligibility: \_\_\_\_\_

Project Eligibility: \_\_\_\_\_ Available Score: \_\_\_\_\_

Compliance with Rule 66B-2 F.A.C.: \_\_\_\_\_

\_\_\_\_\_

Eligibility of Project Cost: \_\_\_\_\_

**ATTACHMENT E-3 - PROJECT INFORMATION 2012**

APPLICANT: \_\_\_\_\_ APPLICATION TITLE: \_\_\_\_\_

Total Project Cost: \$ \_\_\_\_\_ FIND Funding Requested: \$ \_\_\_\_\_ % of total cost: \_\_\_\_\_

Amount and Source of Applicants Matching Funds: \_\_\_\_\_  
\_\_\_\_\_

Other (non-FIND) Assistance applied for (name of program and amount) \_\_\_\_\_  
\_\_\_\_\_

Ownership of Project Site (check one): Own: \_\_\_\_\_ Leased: \_\_\_\_\_ Other: \_\_\_\_\_

If leased or other, please describe lease or terms and conditions: \_\_\_\_\_  
\_\_\_\_\_

Once completed, will this project be insured against damage? \_\_\_\_\_ Explain: \_\_\_\_\_  
\_\_\_\_\_

Has the District previously provided assistance funding to this project or site? : \_\_\_\_\_

If yes, please list: \_\_\_\_\_  
\_\_\_\_\_

What is the current level of public access in terms of the number of boat ramps, boat slips and trailer parking spaces, linear feet of boardwalk (etc.)? (as applicable): \_\_\_\_\_  
\_\_\_\_\_

How many additional ramps, slips, parking spaces or other public access features will be added by the completion of this project? (as applicable): \_\_\_\_\_  
\_\_\_\_\_

If there are fees charged for the use of this project, please denote. How do these fees compare with fees from similar public & private facilities in the area? Please provide documentation \_\_\_\_\_  
\_\_\_\_\_

**Please list all Environmental Resource Permits required for this project:**

| <u>Agency</u> | <u>Yes/ No N/A</u> | <u>Date Applied For</u> | <u>Date Received</u> |
|---------------|--------------------|-------------------------|----------------------|
| WMD           | _____              | _____                   | _____                |
| DEP           | _____              | _____                   | _____                |
| ACOE          | _____              | _____                   | _____                |
| COUNTY/CITY   | _____              | _____                   | _____                |

**ATTACHMENT E-4**

**WATERWAYS ASSISTANCE PROGRAM**

**APPLICATION EVALUATION AND RATING WORKSHEET 2012**

The applicant is to complete this worksheet by entering the project title, applicant name and answers to the applicable questions. **\*\*Do not answer with more than three sentences.\*\***

All applicants must answer a total of ten questions. All applicants will complete Attachment E-4 of the worksheet, which includes questions 1 through 6.

Each applicant will then complete **one and only one sub-Attachment** (E-4 A, B, C, D or E, questions 7-10) according to the applicant's project type in reference to Attachment C. The applicant should determine their project type (if the project incorporates more than one project type) by determining which project type is dominant in terms of project cost.

**All other sub-attachments that are not applicable to an applicant's project should not be included in the submitted application.**

**APPLICATION TITLE:** \_\_\_\_\_

**APPLICANT:** \_\_\_\_\_

| <b>CATEGORY &amp; RATING POINTS AVAILABLE</b> | <b>RATING POINTS</b> | <b>EVALUATION CRITERIA</b> |
|---|----------------------|----------------------------|
|   |                      |                            |

**1) PRIORITY LIST:**

a) **List the priority list category of this project from Attachment C in the application.** (The application may only be of **one** type based upon the predominant cost of the project elements.)

b) **Explain how the project fits this priority category.**

*(For reviewer only)*  
 Max. Available Score \_\_\_\_\_

Range of Score (0 to \_\_\_ points)







**ATTACHMENT E-6**  
**RESOLUTION FOR ASSISTANCE 2012**  
**UNDER THE FLORIDA INLAND NAVIGATION DISTRICT**  
**WATERWAYS ASSISTANCE PROGRAM**

WHEREAS, THE \_\_\_\_\_ is interested in carrying out the  
*(Name of Agency)*  
following described project for the enjoyment of the citizenry of \_\_\_\_\_  
and the State of Florida:

Project Title \_\_\_\_\_

Total Estimated Cost \$ \_\_\_\_\_

Brief Description of Project:

AND, Florida Inland Navigation District financial assistance is required for the program mentioned above,

NOW THEREFORE, be it resolved by the \_\_\_\_\_  
*(Name of Agency)*  
that the project described above be authorized,

AND, be it further resolved that said \_\_\_\_\_  
*(Name of Agency)*

make application to the Florida Inland Navigation District in the amount of \_\_\_\_\_% of the  
actual cost of the project in behalf of said \_\_\_\_\_  
*(Name of Agency)*

AND, be it further resolved by the \_\_\_\_\_  
*(Name of Agency)*  
that it certifies to the following:

1. That it will accept the terms and conditions set forth in FIND Rule 66B-2 F.A.C. and which will be a part of the Project Agreement for any assistance awarded under the attached proposal.

2. That it is in complete accord with the attached proposal and that it will carry out the Program in the manner described in the proposal and any plans and specifications attached thereto unless prior approval for any change has been received from the District.

3. That it has the ability and intention to finance its share of the cost of the project and that the project will be operated and maintained at the expense of said \_\_\_\_\_  
\_\_\_\_\_ for public use.

*(Name of Agency)*

4. That it will not discriminate against any person on the basis of race, color or national origin in the use of any property or facility acquired or developed pursuant to this proposal, and shall comply with the terms and intent of the Title VI of the Civil Rights Act of 1964, P. L. 88-352 (1964) and design and construct all facilities to comply fully with statutes relating to accessibility by handicapped persons as well as other federal, state and local laws, rules and requirements.

5. That it will maintain adequate financial records on the proposed project to substantiate claims for reimbursement.

6. That it will make available to FIND if requested, a post-audit of expenses incurred on the project prior to, or in conjunction with, request for the final 10% of the funding agreed to by FIND.

This is to certify that the foregoing is a true and correct copy of a resolution duly and legally adopted by the \_\_\_\_\_ at a legal meeting held on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

**ATTACHMENT E-7**

**ATTORNEYS CERTIFICATION OF TITLE 2012**

(See Rule 66B-2.006(4) & 2.008(2) FAC)

OFFICE OF THE (City or County) ATTORNEY  
(Address)

\_\_\_\_\_, 20\_\_\_\_\_

TO WHOM IT MAY CONCERN:

I, \_\_\_\_\_, am the Attorney for the (City or County), Florida. I hereby state that I have examined a copy of a (deed, lease, management agreement, etc.) from \_\_\_\_\_ to the (City or County) dated \_\_\_\_\_ conveying \_\_\_\_\_ (type of interest, ie. Fee simple, easement, 25 year lease, etc.) in the following described property:

*(Brief Legal Description of Property)*

I have also examined a document showing that this property is listed on the tax rolls as belonging to the (City or County). Finally, I have also examined such documents and records as necessary for this certification.

This property is what is now called "(Name of Property as Referenced in the WAP application)".

I certify that the (City or County) does in fact \_\_\_\_\_ (own, lease, etc.) this property for \_\_\_\_\_ years.

Very truly yours,

(Name)  
(City or County) Attorney

**ATTACHMENT E-8**

**WATERWAYS ASSISTANCE PROGRAM 2012**

**PROJECT TIMELINE**

**Project Title:** \_\_\_\_\_

**Applicant:** \_\_\_\_\_

The applicant is to present a detailed timeline on the accomplishment of the components of the proposed project including, as applicable, completion dates for: permitting, design, bidding, applicant approvals, initiation of construction and completion of construction.

**NOTE: All funded activities must begin AFTER October 1<sup>st</sup>**  
(or be consistent with Rule 66B-2.005(3) - Pre-agreement expenses)

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**ATTACHMENT E-6**

**RESOLUTION 2012/**

**RESOLUTION OF THE DEERFIELD BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING AN APPLICATION FOR ASSISTANCE 2012 UNDER THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM**

**WHEREAS**, THE City of Deerfield Beach Community Redevelopment Agency (CRA) is interested in carrying out the following described project for the enjoyment of the citizenry of the City of Deerfield Beach and the State of Florida:

Project Title: 1701 Riverview Road Property Acquisition

Total Estimated Cost \$ 2,212,500

Brief Description of Project: Acquisition of 1701 Riverview Road, Deerfield Beach, Florida 33441(.675 acres) for the development of public boat launching facilities

**WHEREAS**, the Florida Inland Navigation District financial assistance is required for the program mentioned above,

NOW THEREFORE, be it resolved by the Deerfield Beach CRA that the project described above be authorized,

AND, be it further resolved that the CRA is authorized to make application to the Florida Inland Navigation District in the amount of 25% of the actual cost of the project on behalf of the CRA,

AND, be it further resolved by the CRA that it certifies to the following:

1. That it will accept the terms and conditions set forth in FIND Rule 66B-2 F.A.C. and which will be a part of the Project Agreement for any assistance awarded under the attached proposal.
2. That it is in complete accord with the attached proposal and that it will carry out the Program in the manner described in the proposal and any plans and specifications attached thereto unless prior approval for any change has been received from the District.
3. That it has the ability and intention to finance its share of the cost of the project and that the project will be operated and maintained at the expense of the CRA for public use. That it will not discriminate against any person on the basis of race, color or national origin in the use of any property or facility acquired or developed pursuant to this proposal, and shall comply with the terms and intent of the Title VI of the Civil Rights Act of 1964, P. L. 88-352

(1964) and design and construct all facilities to comply fully with statutes relating to accessibility by handicapped persons as well as other federal, state and local laws, rules and requirements.

4. That it will maintain adequate financial records on the proposed project to substantiate claims for reimbursement.

5. That it will make available to FIND if requested, a post-audit of expenses incurred on the project prior to, or in conjunction with, request for the final 10% of the funding agreed to by FIND.

This is to certify that the foregoing is a true and correct copy of a resolution duly and legally adopted by the Deerfield Beach Community Redevelopment Agency at a legal meeting held on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

**REQUESTED ACTION:**

None. Staff will facilitate discussion regarding Conceptual Plan for Main Beach Parking Lot Area Improvements.

---

**SUMMARY EXPLANATION/BACKGROUND:**

At the January 17, 2012 regular CRA Board meeting, Chen Moore Associates made a presentation regarding the Conceptual Plan for the Main Beach Parking Lot Area. The main goals of the improvement project are to improve traffic circulation, create additional parking spots, unify the lots into one unified facility, screen an unsightly garbage dumpster, create a public gathering area for daily use and special events, update the parking meter system and improve landscaping and lighting.

Plan recommendations were discussed at length. The Board voted to table the item until the next meeting.

Following the meeting, public comments were received by staff regarding specific aspects of the concept plan such as the public gathering area, coordination with future A1A roadway improvements, the proposed traffic circulation plan, and the justification for an investment of this size for this facility.

Staff will facilitate a discussion regarding improvements to this area, return on investment and request further direction from the CRA Board on this project.

---

**ATTACHMENTS:**

None

**REQUESTED ACTION:**

Discussion regarding the CRA's 5-year plan

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**SUMMARY EXPLANATION/BACKGROUND:**

Staff will present a *suggestion that the CRA conduct*, in the context of refining its strategy for the next five years, *a review of the following*:

- Its accomplishments over the last 2-3 years toward implementing the vision for the area
- Anticipated projects that have progressed to various stages of planning and design and the potential each has for further implementing the vision
- Strategic Management and Financing approaches for the next five years, such as
  - Identity enhancement with, for example, a nautical theme
  - Public Private Partnerships
  - Leveraging of grant funds
  - A focus on property value and tax increment generating development
  - Bonding

The review would be conducted as a report prepared and presentation by staff, followed by discussion of the Board and public input. It is suggested that this review occur in April.

---

**ATTACHMENTS:**

None.

**Deerfield Beach  
Community Redevelopment Agency  
Monthly Expenditure Report**

3/20/2012

As per CRA Resolution 2011-011

**Expenditures**

| <b>Date</b> | <b>Project</b>                   | <b>Expenditure Description</b>  | <b>Amount</b> |
|-------------|----------------------------------|---|---------------|
| 1/17/2012   | Cove Shopping Center<br>Alleyway | West Construction- Modification of drainage<br>piping due to conflict with sewer line                     | \$ 2,714.92   |
| 1/17/2012   | Cove Shopping Center<br>Alleyway | West Construction- Modification of drainage<br>structure due to conflict with AT& T underground<br>cables | \$ 4,414.88   |