

TAB

F

POINT PAPER

HABEN BLVD LANDSCAPE MAINTENANCE

PROBLEM: Discussion surrounded the poor landscape and lawn qualities in the center medians in the middle of Haben Blvd. Mr. Costides provided information of a possible contract between the Palmetto Community Redevelopment Agency and the homeowners of Riviera Dunes community. The CRA was charged with further research to determine if a contact was in force between the parties.

BACKGROUND: (Exhibit 1) Further research finds on July 24, 2003 Riviera Dunes Association President Linda J. Svenson, by written letter on Riviera Dunes stationary, explaining to the then CRA Executive Tanya Lukowiak;

"Per our discussion, I have asked our landscape maintenance company to investigate the condition of each median, make recommendations for improvements and prepare a proposal to implement the improvements. Once these improvements are made, we are prepared, through the homes of Riviera Dunes homeowner Association to assume all necessary maintenance and mowing responsibilities in the six (6) medians fronting our development.

Our community takes great pride in the maintenance of our landscaping and frankly the care and condition of these medians is just not acceptable. We want to help by agreeing to assume the responsibility for maintenance for a period of ten years with the ability to continue to renew our commitment ten years at a time.

Please let me know if you need any additional information.

Sincerely

Linda J Svenson

President

Letter dated July 22, 2003, (Exhibit 2) whereby Gulf Coast Designs (John F White) submitted an instrument called a proposal indicating he would perform landscaping services totaling thirty six thousand, nine hundred and eighty five dollars. (\$36,985.00) for the project called the Haben Blvd Curb Project. In his proposal there is no mention of a contractual obligation of landscape maintenance, only installation.

Palmetto Advisory Board dated August 20, 2003; titled B. Curb Appeal Project Commercial Area Medians (Exhibit 3)

Discussion ensued regarding the curb appeal project targeting the six medians around Riviera Dunes. Motion:

Mr. Czia moved, Mr. Langford seconded and motion carried unanimously to approve the curb appeal project for the commercial area medians.

CRA Letter titled Haben Blvd. Median Enhancement Project, "Justification" (Exhibit 4)

- *The CRA would like to improve the Haben Boulevard Medians. Pursuant to the "Redevelopment Strategies" Section of the adopted CRA Plan, we are to create distinctive and attractive treatments. Because Haben Boulevard is part of a gateway entry within the CRA district, and the CRA plan calls for the CRA to be responsible for the visual impact of these areas, it is an appropriate project.*
- *This project is not on the City's CIP, nor part of any approved project or plan.*
- *The cost of the medians is estimated at \$37,000.00 available in the Commercial line.*
- *Gulf Coast Designs is Riviera Dunes' landscaping company. In order to provide consistency in the area, they are the sole source for this project. They will enhance the 5 medians between US 41/301 and the "curve", in keeping with the perimeter of Riviera Dunes, and then will maintain those medians and the one immediately after the curve, for a period of 10 years at Riviera Dunes expense. Riviera Dunes may renew the maintenance agreement in additional 10 year increments.*
- *By entering into this maintenance agreement with Riviera Dunes, the City sees an economic advantage in less than 5 years. An estimate of potential recurring savings to the City due to the lack of maintenance requirements include:*

<i>2 men @ 6 hours each =</i>	<i>12 hours/week</i>
<i>\$15.00 an hour x 12 hrs =</i>	<i>\$ 180.00 week</i>
<i>38 weeks of year</i>	<i>\$ 6,840.00/year to mow 6 medians</i>

This is the cost to the City to mow the medians only and does not include the cost of gas, materials or equipment

It appears on September 4, 2003, the Palmetto Redevelopment Director Tanya Lukowiak requested payment based upon what appears as a non binding proposal (Exhibit 5)

October 23 2003, Check 67698 disbursed to Gulf Coast Designs for thirty six thousand, nine hundred and eighty five dollars (\$36, 985.00) (Exhibit 6)

Letter dated September 8, 2005 addressed to the Masters Association with attention to Linda Svenson regarding Haben Blvd Medians on Gulf Coast Designs stationary. (Exhibit 7)

Since September of 2003, we have been maintaining the medians of Haben Blvd on a weekly basis. As you know the Homeowners' Association and the Masters Association equally pay for this service. Although we no longer perform services for the HOA, we are still providing all the services for the Masters Association. I would like to continue to maintain the medians. Not only are we familiar with what's expected, but we did the initial install of all the plants, irrigation and sod.

Second, there is much vandalism that happens to these medians. Currently there are five PVC risers that have been broken. Also a vehicle drove through one of the landscape beds one week ago and destroyed one section of the plants. In the last six months, another section of plants were removed and taken away. What is the course of action that I should be taking with the damage and loss of plants? This was a question put forth and no response was given. I thank you for any help or instruction that can be given in this matter. I do hope that I am still allowed to continue the Haben Blvd. medians.

Thank you and God bless

John White.

FINDINGS

In review of the accompanying paperwork there appears no contract for a maintenance between Gulf Coast Designs and the Palmetto Community Redevelopment Agency existed. The only language of contract performance is between The Palmetto CRA Director Tanya Lukowiak and Linda Svenson President of the Masters Association on dated July 24, 2003 whereby the agreement is stated We want to help by agreeing to assume the responsibility for maintenance for a period of ten years with the ability to continue to renew our commitment ten years at a time by Linda Svenson, any ten year language only appears between the Master Association verbal commitment suggested to Tanya Lukowiak by letter and the Justification Paper to the CRA Advisory Board.

Mr. John White, owner of Gulf Coast Designs (the appointed landscape contractor) visited the Palmetto CRA office on April 14, 2010 and informed the CRA agency that he no longer owns the company and that there never was any contract between the parties concerned. He was requested by the Association to provide a landscaping proposal and did so which was paid by the CRA. (\$36,985.00) It is undetermined if a performance contract is still in effect between Gulf Coast Designs and any part of the Home Owners Association. If discovered in force by the associations, performance recourse might be in order but not on behalf of the Palmetto CRA.

Riviera Dunes

RESORTS



Exhibit

July 24, 2003

1

Ms. Tanya Lukowiak
Director, Community Redevelopment Agency
516 8th Avenue West
Palmetto, FL 34221

RE: Medians - Haben Blvd.

Dear Ms. Lukowiak:

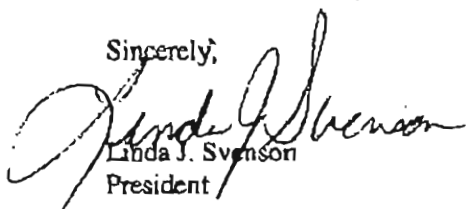
Per our discussion, I have asked our landscape maintenance company to investigate the condition of each median, make recommendations for improvements and prepare a proposal to implement the improvements.

Once these improvements are made, we are prepared, through the Homes of Riviera Dunes Homeowner's Association, to assume all necessary maintenance and mowing responsibilities in the six (6) medians fronting our development.

Our community takes great pride in the maintenance of our landscaping and frankly the care and condition of these medians is just not acceptable. We want to help by agreeing to assume the responsibility for maintenance for a period of ten (10) years with the ability to continue to renew our commitment ten (10) years at a time.

Please let me know if you need any additional information.

Sincerely,



Linda J. Svenson
President

FROM :

FAX NO. :

Feb. 22 2003 07:37PM P2

P47

Gulf Coast Designs

2420 7th Ct. East • Ebonen, FL 34222 •
 Phone 041-737-7344 • Fax 041-723-1637 • Home Phone 041-723-8328 • Email Gulfcoastdesigns@aol.com

Exhibit

2

Haben Blvd. - 6 Island Renovation

Gulf Coast Designs proposes to renovate the 5 median islands that run east to west on Haben Blvd. and the nearest one to the guardhouse that runs north to south.

All islands will be sprayed with Round-Up to eliminate weeds and grass. The Crepe Myrtle trees will not be touched. Grading will be performed as needed. Some areas will have soil installed to make the areas uniform.

All 5 islands that run east to west on Haben Blvd. will have irrigation. This proposal includes all piping, valves, boxes, heads, nozzles, clock, wires, fittings, trenching and re-asphalting. Although there seems to be irrigation in two of the five islands, they need to be re-worked. After the irrigation is in place and working, the landscape beds will be created. Two hundred plants (a variety of different grasses) are proposed throughout 3 of the 6 beds. Filter fabric will be installed to help keep weed matter to a minimum. Washed shell will be used as a ground cover in the beds. Bahia sod will then be laid and rolled.

Everything mentioned above will be performed for the price of \$36,985.00.

The breakdown is as follows :

Round-Up application to approx 23,000 sq ft of lawn area	\$1,525.00
Irrigation	\$14,950.00
Shell, Sod, Soil, Plants, Fabric, etc.	\$8,850.00
Equipment	\$1,500.00
labor	\$3,850.00
gas	\$ 110.00
Installing sleeves between medians for electric and reclaimed water, re-surfacing areas with asphalt, and any other misc that may occur due to the trenching	\$6,200.00

If any of this can be performed by the City of Palmetto, for example the trenching between the medians, installing sleeves for electric and water, supplying power, asphaltting etc., this service can be performed at a lower cost.

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

John E. Robert
 7/28/03

**BOARD OF DIRECTORS MEETING
PALMETTO COMMUNITY REDEVELOPMENT AGENCY
August 20, 2003**

Board Members Present:

Scott Maloney, Chairman
C. J. Czaia
Allen Langford

Board Members Absent:

Alan Zirkelbach, Vice-Chairman
Paula Lowe

Exhibit

Also Present:

Tanya Lukowiak, CRA Executive Director
Kathleen Burns, CRA Administrative Assistant
Barbara Levin, CRA Attorney
Mary Lancaster, Councilwoman, CRA Liaison

3

I. CALL TO ORDER

Chairman Scott Maloney called the meeting to order at 6:02 p.m.

II. APPROVAL OF AGENDA

MOTION: Mr. Langford moved, Mr. Czaia seconded, and motion carried unanimously to approve the CRA Board Meeting agenda for August 20, 2003.

III. OLD BUSINESS**A. Approval of Minutes- July 23, 2003**

MOTION: Mr. Langford moved, Mr. Czaia seconded, and motion carried unanimously to approve the minutes of July 23, 2003.

B. Curb Appeal Project Commercial Area Medians

Discussion ensued regarding the curb appeal project targeting the 6 medians around Riviera Dunes.

MOTION: Mr. Czaia moved, Mr. Langford seconded, and motion carried unanimously to approve the curb appeal project for the commercial area medians.

C. Habitat for Humanity Village of the Palms Update

Susie Walters gave an informational update regarding the current status on their project.

D. Sponsorship of Oktoberfest

Bill LaMee appeared before the Board explaining how the sponsorship of Oktoberfest would benefit the City of Palmetto and CRA district. Discussion ensued utilizing the flow-chart to verify justification of

**Haben Blvd. Median Enhancement Project
Justification**

Exhibit

4

- ❖ The CRA would like to improve the Haben Boulevard medians. Pursuant to the “Redevelopment Strategies” Section of the adopted CRA Plan, we are to create distinctive and attractive entrance treatments. Because Haben Boulevard is part of a gateway entry within the CRA district, and the CRA plan calls for the CRA to be responsible for the visual impact of these areas, it is an appropriate project.
- ❖ This project is not on the City’s CIP, nor part of any approved project or plan.
- ❖ The cost to improve the medians is estimated at \$37,000, available in the Commercial line.
- ❖ Gulf Coast Designs is Riviera Dunes’ landscaping company. In order to provide consistency in the area, they are the sole source for this project. They will enhance the 5 medians between US 41/301 and “the curve”, in keeping with the perimeter of Riviera Dunes, and then will maintain those medians and the one immediately after the curve, for a period of 10 years at Riviera Dunes’ expense. Riviera Dunes may renew the maintenance agreement in additional 10 year increments.
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38 weeks of year		\$ 6,840.00/year to mow the 6 medians

This is the cost to the City to mow the medians only and does not include the cost of gas, materials or equipment.

CITY OF PALMETTO

516 - 8TH AVENUE W
 PALMETTO, FL 34221
 941/723-4570 Fax 941/723-4576

Exhibit

PURCHASE ORDER: 41400

Page: 1 of 1

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***** VENDOR *****
 GULF COAST DESIGNS
 2420 7TH CT E
 ELLENTON FL 34222

***** DELIVER TO *****
 COMMUNITY REDEVELOPMENT AGENCY
 CITY OF PALMETTO
 700 - 8TH AVENUE W
 PALMETTO, FL 34221

Ordered	Due	Ship Via	FOB	Terms	Customer#
09/04/03	12/31/03	SERVICES	RIV DUNES	NET 10	

Requisition No.	Vendor No.	Vendor Phone	Vendor Fax
CH090303	7344-1	941/737-7344	941/723-1637

No	Quantity	U/M	Description	Unit Price	Extended	G/L Account
1	36,985.00	EA	HABEN BLVD CURB APPEAL PROJECT	1.0000	36,985.00	6905598211
				** TOTAL **	36,985.00	

VENDOR INSTRUCTIONS:

1. Mail Invoices to: CITY OF PALMETTO
 P.O. BOX 1209
 PALMETTO, FL 34220-1209

SPECIAL INSTRUCTIONS:

REQ TANYA LUKOWIAK

2. Invoices and Packages must bear the P.O. No. Above.
3. Purchases may not exceed the total amount of this order without prior approval by the Purchasing Dept.
4. Acceptance of this order includes acceptance of all terms, prices, delivery instructions, specifications and conditions.
5. State Tax Exempt#: 51-11-028314-54C EIN: 59-6000403
6. If you have questions, please call 941/723-4570

Nixa Haisley, APA

Vendor No: 7344 GULF COAST DESIGNS

Account No:

INVOICE	DATE	DESCRIPTION	PAYABLE	DISCOUNT	AMOUNT PAID
HABEN BLVD	10/24/03	HABEN BLVD CURB APPEAL PROJEC	36,985.00	.00	36,985.00

Exhibit

6

City of Palmetto Check # 67698 TOTAL \$36,985.00

ORIGINAL CHECK HAS A COLORED BACKGROUND PRINTED ON CHEMICAL REACTIVE PAPER - SEE BACK FOR DETAILS.

City of Palmetto
 P.O. Box 1289, 11634 Avenue West
 Palmetto, FL 34220-1289
 Operating Account

Check Date	Check No.	Amount
10/23/03	67698	\$36,985.00

PAY TO THE ORDER OF SIX THOUSAND NINE HUNDRED EIGHTY-FIVE AND 00/100 DOLLARS

TO THE ORDER OF GULF COAST DESIGNS
 ORDER # 100-00000000
 GULF COAST DESIGNS, INC. 34222

Louise E. Swatte
J. W. ...

Gulf Coast Designs

2819 89th Ave East ♦ Parrish, FL 34219 ♦
Phone 941-737-7344 ♦ Fax 941-721-6200 ♦ Email Gulfcoastdesigns@aol.com

Exhibit**7**

September 8, 2005

Masters Association
Attn: Linda Svenson
Re: Haben Blvd Medians

Since September of 2003, we have been maintaining the medians of Haben Blvd on a weekly basis. As you know, the Homeowner's Association and the Masters Association equally pay for this service. Although we are no longer performing the maintenance services for the HOA, we are still providing all the services for the Masters Association. I would like to continue to maintain the medians. Not only are we familiar with what's expected, but we did do the initial install of all the plants, irrigation, and sod.

Secondly, there is much vandalism that happens to these medians. Currently, there are five pvc risers that have been broken. Also, a vehicle drove through one of the landscape beds one week ago and destroyed one section of the plants. In the last six months, another section of plants was removed and taken away. What is the course of action that I should be taking with the damage and loss of plants. This was a question put forth and no response was given. I thank you for any help or instruction that can be given on this matter. I do hope that I am still allowed to continue the Haben Blvd medians.

Thank you and God bless,

A handwritten signature in cursive script that reads "John White".

John White