



City of Deltona

Mayor
John Masiarczyk, Sr.

Vice Mayor
Heidi Herzberg
District 3

Zenaida Denizac
District 1

Webster Barnaby
District 2

Nancy Schleicher
District 4

Anthony Bellizio
District 5

Chris Nabicht
District 6

Acting City Manager
Dale Baker

REGULAR CITY COMMISSION MEETING
WEDNESDAY, SEPTEMBER 3, 2014
6:30 P.M.

DELTONA COMMISSION CHAMBERS
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL - CITY CLERK**
3. **INVOCATION AND PLEDGE TO THE FLAG:**
 - A. **Invocation Presented by Mayor Masiarczyk –**
4. **APPROVAL OF MINUTES & AGENDA:**
 - A. **Approval of Minutes – Regular City Commission Meetings of August 18, 2014.**
 - B. **Additions or Deletions to Agenda.**
5. **PRESENTATIONS/AWARDS/REPORTS:**
 - A. **Proclamation - Robert McFall Day – September 3, 2014.**
 - B. **Proclamation - Deltona Professional Fire Fighters Local 2913 Fire Fighter Appreciation Day - September 3, 2014.**

**6. PUBLIC FORUM - Citizen comments for any items.
(4 minute maximum length)**

CONSENT AGENDA: All items marked with an * will be considered by one motion unless removed from the Consent Agenda by a member of the City Commission.

7. CONSENT AGENDA:

- *A. Request approval for Budget Amendment from General Fund to Parks Projects-Application for Incidental Take Authority for Florida Scrub-Jays located at the 122 Acres.**
- *B. Request approval of Resolution 2014-30, amending the existing minimum fund balance policy to add a Grants Match reserve.**
- *C. Request for approval of Facility Use Agreement for Game Changer Sports Academy Basketball.**

8. ORDINANCES AND PUBLIC HEARINGS:

- A. Public Hearing - Resolution No. 2014-16, Adopting the Tentative Millage Rate for FY 2014/2015.**
- B. Public Hearing - Resolution No. 2014-17, Adopting the Tentative Annual Budget for FY 2014/2015.**
- C. Public Hearing - Ordinance No. 17-2014, Halifax Crossings Business Planned Unit Development, at first reading and to schedule second and final reading for September 15, 2014.**
- D. Ordinance No. 14-2014, amending Section 42-186, of Article IV, "Fire Codes", of Chapter 42, "Fire Prevention and Protection", of the Code of the City of Deltona, Adopting More Recent Standard Code Provisions and Providing for New Methods of Appeals of Certain Decisions, at first reading and to schedule second and final reading for September 15, 2014.**
- E. Ordinance No. 24-2014, to amend alarm ordinance to include false fire alarms, at first reading and to schedule second and final reading for September 15, 2014.**
- F. Ordinance No. 25-2014, Sales of Food on House of Worship Property, at first reading and to schedule second and final reading for September 15, 2014.**
- G. Resolution No. 2014-31; Setting Registration Fees for Implementation of Deltona Rental Regulatory License Ordinance.**

9. OLD BUSINESS:

10. NEW BUSINESS:

11. CITY ATTORNEY COMMENTS:

12. CITY MANAGER COMMENTS:

A. Lobbyist Update.

13. CITY COMMISSION COMMENTS:

14. ADJOURNMENT:

NOTE: If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 3 - A
SUBJECT: Silent Invocation Presented by Mayor Masiarczyk.

LOCATION:	N/A
BACKGROUND:	At the Regular City Commission Meeting on Monday, October 17, 2011, the City Commission approved to have each Commissioner by District schedule someone to present the invocation at each Regular City Commission meeting rotating each Commissioner by District starting with District #1, #2, #3, #4, #5, #6 and the Mayor.
ORIGINATING DEPARTMENT:	City Clerk's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Clerk
STAFF RECOMMENDATION PRESENTED BY:	N/A - Invocation Only.
POTENTIAL MOTION:	N/A - Invocation Only.
AGENDA ITEM APPROVED BY:	<hr/> Dale Baker, Acting City Manager



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 4 - A
SUBJECT: Approval of Minutes - Regular City Commission Meeting of August 18, 2014.

LOCATION:	N/A
BACKGROUND:	N/A
ORIGINATING DEPARTMENT:	City Clerk's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Clerk
STAFF RECOMMENDATION PRESENTED BY:	City Clerk Joyce Raftery - To approve the minutes of the Regular City Commission Meeting of August 18, 2014.
POTENTIAL MOTION:	"I move to approve the minutes of the Regular City Commission Meeting of August 18, 2014."
AGENDA ITEM APPROVED BY:	<hr/> Dale Baker, Acting City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• Minutes of August 18, 2014

**CITY OF DELTONA, FLORIDA
REGULAR CITY COMMISSION MEETING
MONDAY, AUGUST 18, 2014**

1 A Regular Meeting of the Deltona City Commission was held on Monday, August 18, 2014 at the
2 City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

3
4 **1. CALL TO ORDER:**

5
6 The meeting was called to order at 6:30 p.m. by Mayor Masiarczyk.

7
8 **2. ROLL CALL:**

9			
10	Mayor	John Masiarczyk	Present
11	Vice Mayor	Heidi Herzberg	Present
12	Commissioner	Webster Barnaby	Present
13	Commissioner	Anthony Bellizio	Present
14	Commissioner	Zenaida Denizac	Present
15	Commissioner	Chris Nabicht	Present
16	Commissioner	Nancy Schleicher	Present
17	City Manager	Dave Denny	Present
18	City Attorney	Becky Vose	Present
19	City Clerk	Joyce Raftery	Present

20
21 Also present: Planning and Development Services Director Chris Bowley; Deputy City Manager
22 Dale Baker; Finance Director Bob Clinger and VCSO Captain Dave Brannon.

23
24 **3. INVOCATION AND PLEDGE TO THE FLAG:**

25
26 Invocation Presented by Commissioner Nabicht – Pat Northey, Volusia County Council Member for
27 District 5.

28
29 The National Anthem was sung by Salina Rivera, 7th Grader from Millennium Middle School.

30
31 **4. APPROVAL OF MINUTES & AGENDA:**

32
33 **A. Minutes:**

34
35 **1. Approval of Minutes – Regular City Commission Meeting of August 4, 2014.**

36
37 **Motion by Commissioner Nabicht, seconded by Commissioner Schleicher to approve the minutes**
38 **of the Regular City Commission Meeting of August 4, 2014.**

39
40 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**
41 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**
42 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

43
44 **B. Additions or Deletions to Agenda:** None.

45
46 **5. PRESENTATIONS/AWARDS/REPORTS:** None.

47
48 **6. PUBLIC FORUM** – Citizen comments for items not on the agenda.

49

1 a) John Furlow, 3170 Roland Drive, requested to allow tractor trailers to be parked on residential
 2 properties and presented a petition with approximately 258 signatures.

3
 4 Commissioner Nabicht stated some residents who are coming out of the recession have turned to truck
 5 driving and some have been truck drivers for many years. He stated he is not in support of parking
 6 tractor trailers in residential neighborhoods, however, he suggested that the City Manager and
 7 Economic Development Manager Jerry Mayes look at and try to recruit a business such as Flying J or
 8 Love's although he does not know if there is enough volume to cater to the trucking industry along the
 9 I-4 corridor, but the Commission owes it to these residents to find a place where the vehicles can be
 10 parked whether private or public, on a temporary basis.

11
 12 Vice Mayor Herzberg asked what the difference is between allowing a recreational vehicle (RV) to be
 13 parked in the side yard on a pad and allowing a tractor trailer to be parked in the same location. Deputy
 14 City Manager Dale Baker replied under the code a recreational vehicle is allowed to be parked on
 15 property in a residentially zoned area. A vehicle over 10,000 pounds manufactured gross vehicle
 16 weight (a commercial type vehicle) is not allowed to be parked in a residentially zoned area. The issue
 17 is an RV stays parked and is taken out once or twice a year and a tractor trailer is in and out every day
 18 which is a lot of wear and tear on the roads, the loud noise when the vehicle is started up and there are
 19 areas that staff recommends to residents that will allow tractor trailers to park, but they are outside of
 20 the City.

21
 22 **7. CONSENT AGENDA:** None.

23
 24 **8. ORDINANCES AND PUBLIC HEARINGS:**

25
 26 **A. Public Hearing - Deltona Tractor Supply Final Plat Application (FP 14-001).**

27
 28 Mayor Masiarczyk stated just north of the subject property is a piece of property at the corner of Fort
 29 Smith Blvd. and Sandlor Drive and he was asked if it was zoned commercial and Planning &
 30 Development Services Director Chris Bowley replied he was not sure and he would have to check.

31
 32 **Motion by Commissioner Denizac, seconded by Vice Mayor Herzberg to approve the Deltona**
 33 **Tractor Supply Final Plat (FP 14-001).**

34
 35 Commissioner Nabicht stated there is a significant issue with the easement providing the water
 36 which he is not comfortable with, he thinks it should be a public easement and not a private
 37 easement, there is going to be long term issues with repair and maintenance, it is not good to have
 38 that length of a water utility easement and he would like staff to relook at it and come up with a way
 39 that the water easement can be public so there is no issue with the City going onto the easement to
 40 service the water line. He asked if the easement was going to be fire protection also and Mr. Bowley
 41 replied yes.

42
 43 Mayor Masiarczyk asked if staff was able to do repair and maintenance of the easement and Mr.
 44 Bowley replied the line would be private, not public and unless there is a specific reason, staff would
 45 not be entering onto the property.

46
 47 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

1 **Motion carried with members voting as follows:**

2
 3 **Commissioner Barnaby For**
 4 **Commissioner Bellizio For**
 5 **Commissioner Denizac For**
 6 **Commissioner Nabicht Against**
 7 **Commissioner Schleicher For**
 8 **Vice Mayor Herzberg For**
 9 **Mayor Masiarczyk For**

10
 11 **B. Public Hearing - Ordinance No. 13-2014, Amending the Firefighter's Pension Plan by**
 12 **allowing the Fire Chief the option of Opting Out of Participation, at second and final reading.**

13
 14 **Motion by Commissioner Nabicht, seconded by Vice Mayor Herzberg to approve Ordinance**
 15 **No. 13-2014, at second and final reading.**

16
 17 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

18
 19 City Attorney Becky Vose read the title of Ordinance No. 13-2014.

20
 21 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE**
 22 **FIREFIGHTER'S PENSION PLAN BY ALLOWING THE FIRE CHIEF THE OPTION OF**
 23 **OPTING OUT OF PARTICIPATION; PROVIDING FOR CONFLICTS, CODIFICATION,**
 24 **SEVERABILITY AND FOR AN EFFECTIVE DATE.**

25
 26 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**
 27 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**
 28 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

29
 30 Ordinance No. 13-2014 was adopted at 6:48 p.m.

31
 32 **C. Ordinance No. 19-2014, Charter amendment removing initial incorporation/transition**
 33 **provisions, boundary descriptions, and language changing candidate qualifying provisions, at**
 34 **second and final reading.**

35
 36 **Motion by Vice Mayor Herzberg, seconded by Commissioner Schleicher to approve Ordinance**
 37 **No. 19-2014, at second and final reading.**

38
 39 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

40
 41 City Attorney Becky Vose read the title of Ordinance No. 19-2014.

42
 43 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, PROPOSING AN**
 44 **AMENDMENT TO THE CHARTER FOR THE CITY OF DELTONA, FLORIDA,**
 45 **REPEALING ORDINANCE NO. 08-2014; PROPOSING A CHARTER AMENDMENT**
 46 **REMOVING INITIAL INCORPORATION/TRANSITION PROVISIONS, BOUNDARY**
 47 **DESCRIPTION, AND LANGUAGE CHANGING CANDIDATE QUALIFYING**
 48 **PROVISIONS; CALLING FOR A REFERENDUM ON THE PROPOSED GENERAL**

1 **ELECTION ON NOVEMBER 4, 2014; PROVIDING THE BALLOT TITLE AND BALLOT**
2 **SUMMARY FOR THE REFERENDUM; PROVIDING FOR SEVERABILITY; PROVIDING**
3 **FOR AN EFFECTIVE DATE.**

4
5 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**
6 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**
7 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

8
9 Ordinance No. 19-2014 was adopted at 6:50 p.m.

10
11 **D. Ordinance No. 20-2014, Charter amendment removing City Manager residency**
12 **requirement, at second and final reading.**

13
14 Mayor Masiarczyk opened the public hearing.

15
16 Mike Williams, 2889 Cottageville Street, asked for clarification on the question whether or not this
17 would require the City Manager to live in or not live in the City and Mayor Masiarczyk replied this
18 allows the City Manager to live outside the corporate boundaries of the City.

19
20 Mayor Masiarczyk closed the public hearing.

21
22 **Motion by Commissioner Schleicher, seconded by Vice Mayor Herzberg to approve Ordinance**
23 **No. 20-2014, at second and final reading.**

24
25 City Attorney Becky Vose read the title of Ordinance No. 20-2014.

26
27 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, PROPOSING AN**
28 **AMENDMENT TO THE CHARTER FOR THE CITY OF DELTONA, FLORIDA,**
29 **REMOVING CITY MANAGER RESIDENCY REQUIREMENT; CALLING FOR A**
30 **REFERENDUM ON THE PROPOSED GENERAL ELECTION ON NOVEMBER 4, 2014;**
31 **PROVIDING THE BALLOT TITLE AND BALLOT SUMMARY FOR THE**
32 **REFERENDUM; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE**
33 **DATE.**

34
35 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**
36 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**
37 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

38
39 Ordinance No. 20-2014 was adopted at 6:52 p.m.

40
41 **E. Ordinance No. 22-2014, Charter amendment removing in-house City Attorney**
42 **residency requirement, at first reading and to schedule second and final reading.**

43
44 **Motion by Vice Mayor Herzberg, seconded by Commissioner Barnaby to approve Ordinance**
45 **No. 22-2014, at second and final reading.**

46
47 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

1 City Attorney Becky Vose read the title of Ordinance No. 22-2014.

2
3 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, PROPOSING AN**
4 **AMENDMENT TO THE CHARTER FOR THE CITY OF DELTONA, FLORIDA,**
5 **REMOVING IN HOUSE CITY ATTORNEY RESIDENCY REQUIREMENT; CALLING**
6 **FOR A REFERENDUM ON THE PROPOSED GENERAL ELECTION ON NOVEMBER 4,**
7 **2014; PROVIDING THE BALLOT TITLE AND BALLOT SUMMARY FOR THE**
8 **REFERENDUM; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE**
9 **DATE.**

10
11 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**
12 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**
13 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

14
15 Ordinance No. 22-2014 was adopted at 6:53 p.m.

16
17 **F. Ordinance No. 23-2014, Charter amendment changing compensation of Mayor and**
18 **City Commission, at second and final reading.**

19
20 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

21
22 **Motion by Commissioner Nabicht, seconded by Commissioner Schleicher to approve**
23 **Ordinance No. 23-2014, at second and final reading.**

24
25 City Attorney Becky Vose read the title of Ordinance No. 23-2014.

26
27 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, PROPOSING AN**
28 **AMENDMENT TO THE CHARTER FOR THE CITY OF DELTONA, FLORIDA,**
29 **CHANGING METHOD OF SETTING COMPENSATION OF MAYOR AND CITY**
30 **COMMISSIONERS; CALLING FOR A REFERENDUM ON THE PROPOSED GENERAL**
31 **ELECTION ON NOVEMBER 4, 2014; PROVIDING THE BALLOT TITLE AND BALLOT**
32 **SUMMARY FOR THE REFERENDUM; PROVIDING FOR SEVERABILITY; PROVIDING**
33 **FOR AN EFFECTIVE DATE.**

34
35 **Motion failed with members voting as follows:**

36		
37	Commissioner Barnaby	Against
38	Commissioner Bellizio	Against
39	Commissioner Denizac	Against
40	Commissioner Nabicht	For
41	Commissioner Schleicher	For
42	Vice Mayor Herzberg	Against
43	Mayor Masiarczyk	Against
44		

45 Ordinance No. 23-2014 failed at 6:55 p.m.

46
47 **9. OLD BUSINESS:** None.

48

1 **10. NEW BUSINESS:**
 2

3 **A. Request for approval of the revised project total cost to upgrade DeltonaTV Broadcast**
 4 **Equipment.**
 5

6 Mayor Masairczyk stated he had his concerns addressed prior to the meeting but wanted to assure
 7 the public that these upgrades are necessary and will allow the City to reach a much broader
 8 audience as currently the only ones that can view the meetings are the ones who have BrightHouse
 9 and with the approval tonight those with AT&T UVerse will be able to receive this service.
 10

11 **Motion by Commissioner Schleicher, seconded by Vice Mayor Herzberg to approve spending**
 12 **an additional \$44,025 out of the Capital Equipment Fund to complete the project for**
 13 **DeltonaTV project this fiscal year.**
 14

15 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.
 16

17 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**
 18 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**
 19 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**
 20

21 **B. Request for approval of Mr. Baker's proposed Acting City Manager employment**
 22 **agreement.**
 23

24 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.
 25

26 **Motion by Vice Mayor Herzberg, seconded by Commissioner Schleicher to approve the Acting**
 27 **City Manager employment agreement as presented.**
 28

29 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**
 30 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**
 31 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**
 32

33 **C. Request for approval to piggyback Clay County Agreement/Contract #11/12-77 for the**
 34 **contract with Community Champions Corporation, f/k/a Federal Property Registration Corp.**
 35

36 **Motion by Commissioner Barnaby, seconded by Vice Mayor Herzberg to approve**
 37 **piggybacking Clay County's Agreement/Contract #11/12-77 with Federal Property**
 38 **Registration Corp., now known as Community Champions Corporation, for the registration**
 39 **services required under the Deltona Anti-Blight Ordinance.**
 40

41 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.
 42

43 Commissioner Bellizio asked if there were any costs that the City would incur and City Attorney Becky
 44 Vose replied no, the banks that foreclose on property will be required to register those properties, the
 45 registration fee is \$300, the company keeps \$100 and the City receives \$200 per registration.
 46

47 Scott Blacy, Community Champions, stated there is no cost to the City, Community Champions is a
 48 true community partner and does so much more, it is a revenue share program, can leverage banks and

1 properties that have been a problem and can sometimes get the properties transferred to non-profits and
2 will even lend money from their registry to those non-profits to do demolition and rehab to certain
3 properties.

4
5 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;
6 Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;
7 Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

8
9 **D. Approval of Resolution No. 2014-25; Setting Registration Fees for Implementation of**
10 **Anti-Blight Ordinance.**

11
12 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

13
14 **Motion by Vice Mayor Herzberg, seconded by Commissioner Barnaby to approve the**
15 **adoption of Resolution No. 2014-25 for Setting Registration Fees for Implementation of Anti-**
16 **Blight Ordinance.**

17
18 Mayor Masiarczyk read the title of Resolution No. 2014-25.

19
20 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;
21 Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;
22 Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

23
24 Resolution No. 2014-25 was adopted at 7:06 p.m.

25
26 **E. Request for approval of a proposed Bond Anticipation Note from the City's bank Wells**
27 **Fargo.**

28
29 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

30
31 **Motion by Vice Mayor Herzberg, seconded by Commissioner Barnaby to approve the Bond**
32 **Anticipation Note proposed by Wells Fargo, the Reimbursement Resolution No. 2014-27, and**
33 **the Loan Agreement Resolution No. 2014-28 subject to completion of the appropriate closing**
34 **documents and approval by the State Revolving Fund.**

35
36 Mayor Masiarczyk asked staff if this is just approving the proposed bond authorization by the two
37 (2) resolutions and City Attorney Becky Vose replied the two (2) Resolutions should be a separate
38 vote. Mayor Masiarczyk asked if the Resolutions are to be included on this agenda item and City
39 Attorney Becky Vose replied yes.

40
41 Vice Mayor Herzberg read the title of Resolution No. 2014-27.

42
43 It was determined that Resolution 2014-28 was not in the agenda packet. Mayor Masiarczyk asked
44 staff to provide copies of this Resolution.

45
46 Mayor Masiarczyk called for a recess at 7:08 p.m. and reconvened at 7:13 p.m.

47
48 Mayor Masiarczyk read the title of Resolution No. 2014-28.

1
2 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

3
4 The Commission and staff discussed the annual interest rate at approximately 1% not being in the
5 resolutions, whether that 1% annual interest rate will increase in the future, and if there was a
6 guarantee on the cap which there is not.

7
8 Mayor Masiarczyk asked Mr. Clinger to explain the length of the note. Mr. Clinger replied it is up
9 to 12 months with no prepayment penalty but the plan is to issue the formal bonds in December at
10 which time this note would be retired.

11
12 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

13
14 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**
15 **Commissioner Bellizio, For; Commissioner Denizac, For; Commissioner Nabicht, For;**
16 **Commissioner Schleicher, For; Vice Mayor Herzberg, For; and Mayor Masiarczyk, For.**

17
18 Resolution Nos. 2014-27 and 2014-28 was adopted at 7:16 p.m.

19
20 **11. CITY ATTORNEY COMMENTS:** None.

21
22 **12. CITY MANAGER COMMENTS:**

23
24 City Manager Dave Denny invited the Commission to the Employee BBQ on Friday between 11:00
25 a.m. and 2:00 p.m. and that staff would be cycling in and out and that City Hall would not be shutting
26 down.

27
28 **A. Lobbyist Update:**

29
30 Mr. Denny stated he met with the Lobbyist who would like to meet sometime in September to go over
31 what has happened this past year, what they anticipate is coming in the next year, getting direction from
32 the Commission as to what to look at and he asked if the Commission would like to do this at a
33 workshop or a regular City Commission meeting.

34
35 The Commission and staff discussed the Lobbyist doing a presentation and having discussion at either a
36 workshop or a regular meeting, putting off another workshop topic and adding Lobbyist discussion in
37 replace of it, combining a workshop and a regular meeting, not being a presentation but a discussion
38 item, to have a workshop before a regular meeting, having a workshop 5:30 to 6:30 p.m. and then have
39 the regular meeting, or having a regular meeting, recess to a workshop and then reconvene the regular
40 meeting.

41
42 **The Commission concurred to have the City Manager provide the options discussed by the**
43 **Commission for when to have a discussion with the Lobbyist and see which option is best.**

44
45 Commissioner Barnaby suggested having Senator Simmons to come do a presentation on the Bill that
46 would involve hooking up homes on septic tanks to sewer systems as he is the gentleman leading the
47 Bill because he is very knowledgeable and it is his Bill.

1 Vice Mayor Herzberg stated Senator Simmons is going to be doing a round table with elected officials,
 2 it is imperative that all the Commission attend because it is Commission's opportunity to talk with him
 3 as well as others on the subject of ask questions. Mr. Denny stated he will get the email with the round
 4 table information to the Commission tomorrow.

5
 6 Commissioner Denizac stated the Commission needs to fight and fight hard to keep septic tanks
 7 because residents will not be able to afford the cost of switching to sewer and the City will not survive
 8 this change.

9
 10 Vice Mayor Herzberg stated she was just as the Florida League of Cities Conference where she spoke to
 11 a representative from Marathon who had to hook up a lot of residents to sewer, Tallahassee promised
 12 them \$200 million and so far only has provided \$100 million. The Commission has to have a voice
 13 which it has not had and until collectively as a Commission need to have conversations with its
 14 representatives.

15
 16 **The Commission concurred to have the City Manager invite Senator Simmons to meet with the**
 17 **Commission and the Commission will make themselves available to him.**

18
 19 **13. CITY COMMISSION COMMENTS:**

20
 21 a) Commissioner Schleicher stated the sewer discussion has been around for 41 years, it has been a
 22 nightmare concern and it is going to get worse. She reminded everyone that school is in session and to
 23 be careful of the school zones, the buses and the children walking to and from school. She stated now is
 24 the time to express yourself as early voting is going on this week, the Primary Election is next week,
 25 and "if you value your voice, value your vote, let your voice be heard and get to the polls".

26
 27 b) Commissioner Nabicht asked Captain Brannon if it was an uneventful beginning of school
 28 session and Captain Brannon replied yes. He congratulated Captain Brannon and his team of law
 29 enforcement professionals that worked very diligently to end a situation before it got much worse with
 30 the Circle K and liquor store robberies. He stated it was a job well done and he is glad nobody got hurt.

31
 32 c) Commissioner Denizac praised Captain Brannon for a job well done, the message to those who
 33 want to come to Deltona and mess it up is that they will be caught and locked up. She stated Mrs. Vose
 34 provided a letter to the Commission which has not been sent and it came about while she was at a
 35 debate in DeLand. One of the people at the debate mentioned that 20/20 Media owed the City money
 36 which had not been reported in years. She stated after discussion with the City Manager and the
 37 Finance Director, the bottom line is 20/20 Media has not reported since 2011 and is out of compliance.
 38 She suggested that the letter provided by Mrs. Vose be sent to 20/20 Media and she would like the
 39 support of the Commission.

40
 41 Mayor Masiarczyk stated that sending the letter is well within the bounds of Mrs. Vose's position and
 42 so the letter would just be sent.

43
 44 d) Commissioner Barnaby echoed Commission Schleicher's comments regarding the first day of
 45 school. He recognized Felicia Benzo, founder of Catalyst Mentoring Program which he one of the
 46 mentors in Volusia County schools and he really enjoys it. The program offers social activities to
 47 utilize evidence based learning techniques during one hour mentoring sessions, the mission is provide
 48 children with hope and a vision of their possibilities for their future. The Program inspires children,

1 helps them develop their academic and social adaptive skills for success. He stated mentors are needed
2 and if anyone is interested go to www.catalystflorida.org or contact Felicia Benzo at 386-216-4289.

3
4 e) Vice Mayor Herzberg stated she attended the Florida League of Cities Convention where she
5 went to one of the seminars on homelessness and the moderator was Representative Kathleen Peters
6 who is an advocate for homelessness and the State has now allocated \$4 million, and cities are allowed
7 to apply for a challenge grant up to \$500,000, however, one of the stipulations is to go through the
8 continuant of care in the County and for Deltona it is Coalition for the Homeless and United Way and
9 the City has to have a 10 year plan for homelessness. She stated she will provide all the information to
10 the City Manager to look over and maybe down the road there will the possibility of the City applying
11 for that grant which is a one (1) year program and hopefully more money will be allocated in the future.
12 She stated she asked Representative Peters if the number of homelessness affects the grant and she
13 responded no because the study is flawed in such a way that if there are not enough volunteers going
14 around looking for the homeless or there is poor weather and you do not know where homeless people
15 congregate they will not be found.

16
17 Commissioner Barnaby stated a lot of the City's churches have soup kitchens where a meal is provided
18 every Monday and they have a strong list of men, women and children who are homeless. Vice Mayor
19 Herzberg agreed with Commissioner Barnaby that churches need to be tapped in to actually look at
20 what the true numbers are. She stated one of the shocking statistics from the seminar was in the State of
21 Florida there are 63,000 homeless children. There were a lot of comments and solutions for dealing
22 with homelessness and she spoke with Representative Peters and told her that Volusia County is doing a
23 study with Dr. Marbet and the reaction was very positive.

24
25 f) Mayor Masiarczyk thanked Deputy City Manager Dale Baker for getting a group in touch with a
26 resident who was unable to mow his lawn and the group assisted him at no cost with the issue. He
27 stated he heard from a pastor from Corner Stone Church, on Howland Blvd., who formed a program
28 called "RAKE" who will mow a yard for a family in need or a shut in at no cost. He stated he was
29 impressed with the police presence on the roads today and making everyone aware of the opening of the
30 school season.

31
32 **14. ADJOURNMENT:**

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34 There being no further business, the meeting adjourned at 7:50 p.m.

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John Masiarczyk Sr., Mayor

ATTEST:

Janet Day, Deputy City Clerk



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 5 - A
SUBJECT: Proclamation - Robert McFall Day - September 3, 2014.

LOCATION:	City - Wide
BACKGROUND:	A Proclamation for Robert McFall Day September 3, 2014.
ORIGINATING DEPARTMENT:	City Manager's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Clerk
STAFF RECOMMENDATION PRESENTED BY:	N/A - Proclamation only.
POTENTIAL MOTION:	N/A - Proclamation only.
AGENDA ITEM APPROVED BY:	<hr/> Dale Baker, Acting City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• Robert McFall Day Proclamation



WHEREAS, the City of Deltona would like to recognize and honor Robert McFall for his many accomplishments as an active citizen serving the residents of the City of Deltona in countless capacities; and

WHEREAS, in 1968 he became a funeral director apprentice at the age of 18 and in 1972 graduated from the Dallas Institute of Mortuary Science with his wife, Ann; and

WHEREAS, in 1974 Mr. McFall moved his family to Deltona to begin his career in the funeral business. He first worked for his friend Steve Baldauff, then opened and sold McFall Funeral Home on Providence Blvd. and later worked with Allen-Summerhill Funeral Home in DeLand; and

WHEREAS, from 1994-Present he has been the general manager of Deltona Memorial Funeral Home and Cemetery and has served approximately 400 families per year; and

WHEREAS, Mr. McFall has been the Master of Ceremonies for 20 years at the Annual Memorial Day Service and was actively involved with the Boy Scouts of America. He was Boy Scout Leader for Troop 348, Cub Scout Leader for Pack 565 and member of the Central Florida District Board of Boy Scouts; and

WHEREAS, he has served as a member on several local boards and committees including the Deltona Municipal Services District Advisory Board, Incorporation Feasibility Committee, First United Methodist Church of Deltona Building Committee and John Knox Foundation Board; and

WHEREAS, Mr. McFall will now enjoy his retirement with family, friends and his “THREE PERFECT GRANDCHILDREN” and maybe spend a little more time fishing.

THEREFORE, I, the Mayor of the City of Deltona, do hereby proclaim September 3, 2014, as

“Robert McFall Day”

in the City of Deltona and thank Robert McFall for his many years of service.

EXECUTED this 3rd day of September, 2014.

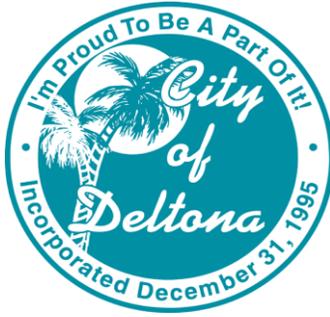
John Masiarczyk, Mayor



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dake Baker, Acting City Manager **AGENDA ITEM:** 5 - B
SUBJECT: Proclamation - Deltona Professional Fire Fighters Local 2913 Fire Fighter Appreciation Day - September 3, 2014.

LOCATION:	City - Wide
BACKGROUND:	A Proclamation for Deltona Professional Fire Fighters Local 2913 Fire Fighter Appreciation Day September 3, 2014 for their service to the Muscular Dystrophy Association.
ORIGINATING DEPARTMENT:	City Manager's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Clerk
STAFF RECOMMENDATION PRESENTED BY:	N/A - Proclamation only.
POTENTIAL MOTION:	N/A - Proclamation only.
AGENDA ITEM APPROVED BY:	<hr/> Dale Baker, Acting City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• Deltona Professional Fire Fighters Local 2913 Fire Fighter Appreciation Day



WHEREAS, the Deltona Professional Fire Fighters Local 2913 exemplifies the most time-honored American ideals of public service and sacrifice, protecting the citizens of our community from tragedy on the home front; and

WHEREAS, the Deltona Professional Fire Fighters Local 2913 members are highly trained and dedicated individuals who demonstrate daily an extraordinary caliber of character and courage in the face of danger; and

WHEREAS, the Deltona Professional Fire Fighters Local 2913 members selflessly donate their time and energy to supporting the battle against muscular dystrophy by Filling the Boot each year for the Muscular Dystrophy Association; and

WHEREAS, in the past ten years, the Deltona Professional Fire Fighters Local 2913 has raised more than \$85,000 for Muscular Dystrophy Association through the annual Fill the Boot campaign; and

WHEREAS, the Professional Fire Fighters Local's 2913 endless service to the Muscular Dystrophy Association has given so much hope for families fighting neuromuscular diseases.

NOW, THEREFORE, I, John Masiarczyk, Mayor of the City of Deltona, Florida, do hereby proclaim September 3rd, 2014, as

**“DELTONA PROFESSIONAL FIRE FIGHTERS LOCAL 2913
FIRE FIGHTER APPRECIATION DAY”**

EXECUTED this 3rd day of September, 2014.

John Masiarczyk, Mayor





AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 7 - A
SUBJECT: Request approval for Budget Amendment from General Fund to Parks Projects-
Application for Incidental Take Authority for Florida Scrub-Jays located at the
122 Acres.

LOCATION:

122 Acres Site

BACKGROUND:

B.K.I., Inc.-Consulting Ecologists (BKI) has prepared a Habitat Conservation Plan and has completed a Florida Scrub-Jay survey on a 122 acre site for the City of Deltona. The site's southern 35 acres were permitted in March 2014 to develop a public utility, water reclamation facility (Permit# TE 28377B-0). The permit is in effect and construction is underway. A Park project located north of the utility is now being proposed with consideration of Phase 1 of a multiple phase project. Development proposed consists of (4) baseball/softball fields, associated stormwater facilities, playground, pavilions, and parking area. It is not known when the additional phases will be constructed. The approximately 24 acre project will impact 0.45 acres of scrub-jay foraging habitat. The City of Deltona is applying for incidental take authority for the scrub-jays utilizing the additional foraging habitat on the project site. Mitigation has already been paid for the previous permitted impacts.

To mitigate for impacts to scrub-jays foraging habitat, the City of Deltona will remit payment to the Florida Scrub-Jays Conservation Fund. The Fund is administered by the Nature Conservancy to purchase lands and perpetually manage lands that are twice as much as the habitat being destroyed. A payment of \$ 13,500.00 represents two times the acreage of impact times the land acquisition costs for West Volusia County($0.45 \times 2 \times \$14,801$) as outlined in the USFWS Florida Scrub-Jay Umbrella Habitat Conservation Plan revised August, 2013. This payment is in addition to the previous \$ 56,243.80 that was paid as a mitigation measure for the initial permit. The establishment of the site is to construct a facility that will benefit the regional water resources and a Park with ball fields for the citizens of the City of Deltona.

To safeguard against unforeseen delays with funding, construction, and permitting the City of Deltona is requesting the maximum ITP duration of ten years (2024).

ORIGINATING DEPARTMENT:

Parks Recreation

SOURCE OF FUNDS:

General Fund

COST:

\$ 13,500.00

REVIEWED BY:

Deputy City Manager, Finance Director

STAFF RECOMMENDATION PRESENTED BY:

Steve Moore, Parks and Recreation Director - That the City Commission approve the proposed budget amendment (\$13,500.00) from the General Fund to Parks Projects so mitigation for impacts to scrub-Jays foraging habitat is considered and remit payment to the Florida Scrub-Jay Conservation Fund, supporting the Florida Scrub-Jay Habitat Conservation Plan & Environmental Assessment Modification.

POTENTIAL MOTION:

" I move to approve the Budget Amendment from General Fund to Parks Projects."

AGENDA ITEM APPROVED BY:

Dale Baker, Acting City Manager

ATTACHMENTS:

- Budget Amendment A
- Budget Amendment B

City of Deltona
Budget Amendment
 Fiscal Year 2013-2014

Amendment #: 2014-46A
 Fund: 001-General Fund

Date: Sept. 3, 2014
 Agenda Item: _____

		<u>Increase</u>	<u>Decrease</u>
Account #:	001190 910302	Amount:	13,500
Description:	<u>OPERATING TRFR OUT TO PARK PRO</u>		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		

Description: This amendment results in a net decrease in Budgetary Fund Balance.

Reason: **To transfer funds to Parks Project Fund for a Scrub-Jay mitigation permit.**

ATTEST: _____
 Joyce Raftery, City Clerk

 John C. Masiarczyk, Sr., Mayor

City of Deltona
Budget Transfer
 Fiscal Year 2013-2014

Amendment #: 2014-46B Date: Sept. 3, 2014
 Fund: Park Projects Fund Agenda Item: _____

		<u>Increase</u>	<u>Decrease</u>
Account #:	302652 650100	Amount: 13,500	
Description:	<u>GENERAL</u>		
Account #:	302 381001	Amount: 13,500	
Description:	<u>OPERATING TRSFR IN - GEN FUND</u>		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		
Account #:		Amount:	
Description:	_____		
Description:	Amendment results in no change to Budgetary Fund Balance.		

Reason: **Record transfer of funds from General Fund for the Scrub-Jay mitigation permit.**

ATTEST: _____

 Joyce Raftery, City Clerk

 John C. Masiarczyk, Sr., Mayor

BKI, INC.

Consulting Ecologists

225 Fifth Avenue, Suite 2, Indialantic, Florida 32903-3163

William W. Kerr, President

321.951.7964 Office * 855.237.5281 Toll Free
321.951.8909 Fax www.bki-ecologists.com

June 3, 2014

Tom Vill, P.E.
Baskerville-Donovan, Inc.
7155 Murrell Road, Suite 101
Melbourne, Florida 32940

Project: City of Deltona Eastern Water Reclamation Facility
±122 acres

Parcel IDs: 31183166150001, 31183105150010, 31183105140010, 31183105130010,
31183105120010, 31183105110010, 31183105160010, 31183105170010, 31183105180010,
31183105190010, 31183105200010, 31183104050010, 31183104040010, 31183104030010,
31183104020010, 31183104010010, 31183166170001, 31183104060010, 31183104070010,
31183104080010, 31183104090010, 31183104100010, 31183103010010, 31183103020010,
31183103030010, 31183103040010, 31183103050010, 31183103060010, 31183103070010,
31183103080010, 31183103090010, 31183103100010, 31183103030010, 31183103080160

in Section 31, Township 18 South, Range 31 East

Deltona, Volusia County, Florida

BKI File No. 10010

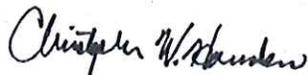
Subject: Florida Scrub-Jay (*Aphelocoma coerulescens*) Incidental Take Permit Modification

Dear Mr. Vill,

As contracted, B.K.I., Inc. - Consulting Ecologists (BKI) has completed a modified Habitat Conservation Plan (HCP) for the Florida scrub-jay (*Aphelocoma coerulescens*) on the above-referenced parcels of land. Enclosed please find the HCP modification that outlines conservation measures for Florida scrub-jays. The HCP modification must be approved by the U.S. Fish and Wildlife Service (USFWS) in order to clear and develop the parcels.

If you have any questions or comments concerning the contents of this HCP, please contact us at your earliest convenience. We thank you for the opportunity to work on this project.

Sincerely,



Chris Harnden
Ecologist/Project Manager

cc: Erin Gawera; Jacksonville USFWS

Mitigation/Conservation Bank Permitting * Land Management Plans * Environmental Assessments & Permitting
GIS/GPS Mapping * Wildlife Evaluations * Feasibility Studies * Wetland Assessments & Enhancements



**Florida Scrub-jay (*Aphelocoma coerulescens*) Habitat Conservation
Plan and Environmental Assessment
Modification**

**For the
City of Deltona
Property**

**Prepared by B.K.I., Inc. - Consulting Ecologists
Indianapolis, Florida
June 2014**

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- Figure 11. Estimated Occupied Territory Map
- Figure 12. Territory Map for Years 2011 and 2013

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1.0 INTRODUCTION

B.K.I., Inc. - Consulting Ecologists (BKI) has prepared this Habitat Conservation Plan for the proposed City of Deltona project. As contracted, BKI had completed a Florida Scrub-jay (*Aphelocoma coerulescens*) survey on a ± 122 acre site within Section 31, Township 18 South, Range 31 East, Deltona, Volusia County, Florida (*Figure 1*). The site's southern 35 acres were permitted in March 2014 to develop a public utility, water reclamation facility (Permit # TE28377B-0).

The site was previously surveyed in April of 2011. The proposed utility development was substantially redesigned to eliminate any impacts to the occupied scrub-jay territories that were identified in the 2011 survey (proposed development was reduced from 50 acres to 35 acres). The proposed utility projects are the *Tivoli Wheeling Force Main* and the *Eastern Water Reclamation Facility Rapid Infiltration Basin System – Phase 1*. The projects include directional drilling or open-cut installation of piping (temporary impacts) and the construction of a Rapid Infiltration Basin (RIB) System on approximately 35 acres (*Appendix A*).

The permit is in effect and construction is underway. A park project located north of the utility is now being proposed by the City of Deltona. This park project is Phase 1 of a multiple phase project. Development proposed consists of four (4) ball fields, associated stormwater facilities, playground, and parking area. It is not known when the additional phases of the park will be constructed.

This environmental assessment summarizes the results of the 2013 scrub-jay survey. The modification of the take permit will be for an additional 0.9 acres of foraging habitat.

1.1 Purpose

The Applicant intends to develop a public park located north of a public utility, water reclamation project that was previously permitted. The approximately 24 acre project will impact 0.9 acres of scrub-jay foraging habitat. The proposed action is otherwise legal and consistent with local, county, and state laws. The Applicant is applying for incidental take authority for the scrub-jays utilizing the additional foraging habitat on the project site. Mitigation has already been paid for the previous permitted impacts.

1.2 Permit Duration

The Applicant intends to start construction within a year from the issuance of the Incidental Take Permit (ITP) from U.S. Fish and Wildlife Service (USFWS). To safeguard against unforeseen delays with funding, construction, and permitting the Applicant is requesting the maximum ITP duration of ten (10) years. *will be same as auno 2024*

1.3 Species to be Covered

The ITP will cover Florida Scrub-jays. The October 2013 survey work indicated that a family of scrub-jays were utilizing foraging habitat on the proposed park site. There are also State listed gopher tortoises onsite that will be addressed under a State relocation permit.

2.0 SURVEY METHODOLOGY

Survey methodology was based on the USFWS Scrub-Jay Survey Guidelines (updated 08/24/2007) and also information outlined by the Florida Fish and Wildlife Conservation Commission (FWC) in their publication, Ecology and Development-Related Habitat Requirements of the Florida Scrub-jay.

Surveys were conducted using established call stations between approximately 8:00 am and 11:30 am. Surveys were initiated one hour after sunrise. Specific procedures used included:

- A. Traversing the subject site on foot between call stations. Call stations were created where access to the property was available so that all potential habitats were sampled.
- B. A high quality tape recording of Florida scrub-jay territorial scolding was used in an attempt to attract the jays. This recording included clear examples of all typical territorial scolds, including the female "hiccup" call.
- C. Suitable on-site habitat was traversed and the calls broadcast at numerous playback stations. All calls were broadcast for approximately one (1) minute in all four (4) directions around each station, emphasizing the direction of the most suitable habitat. Call stations were also selected where the observer could see Florida scrub-jay activity as unobstructed as possible.
- D. If a response to the call was elicited from resident jays, the flight origination point and flight direction were noted. In addition, the number of jays sighted and any family associations were recorded. All other species of birds observed were also recorded for the survey time period.
- E. When possible, observations of jay activity were also documented without utilizing the call tape. This allows for observations of normal jay activity without the elicited response.

Florida scrub-jay activity is often affected by meteorological conditions. Excessive heat, rain, wind, or fog can inhibit active flight and territorial responses, making observation by surveyors difficult. The weather conditions as recorded by the National Oceanographic and Atmospheric Association (NOAA) office are presented in **Table 1**. All morning winds were below the 8 mph threshold that can affect the responses of the jays. Additionally, due to the weather conditions during fall, potential sampling days had to be carefully selected between the passage of cold fronts.

Table 1. Weather Conditions and Species Identified

Date	Avg Temperature / Day	Avg Wind Speed
10/08/2013	78	5.0
10/10/2013	73	9.4
10/11/2013	75	5.4
10/22/2013	82	4.9
10/25/2013	66	6.0

3.0 ENVIRONMENTAL CONDITIONS

Typically, scrub-jays prefer a habitat which consists of scrub oaks between three (3) to ten (10) feet tall covering 50 to 75 percent of the area. Also critical to Florida Scrub-jays, is that the oak cover must be interspersed with bare ground or vegetation less than six (6) inches tall covering 10 to 30 percent of the area, with no more than 20 percent canopy cover (Status and Distribution of the Florida Scrub-jay, Florida Ornithological Society Special Publication No. 3, 1987).

The site is extremely overgrown. Average vegetation height is ten (10) to twenty (20) feet. The vegetation is oak (*Quercus* spp.), rusty lyonia (*Lyonia ferruginea*), and young sand pines (*Pinus clausa*) recruited after a 2004 storm. This site is too densely vegetated to be considered optimal scrub-jay habitat.

3.1 Topography and Soils

The topography of the site can be described as a historical marine terrace. USGS data indicates the elevations onsite range from below 45' to over 95'. The characteristics can be summed up as a large plateau with two depressional areas. One depressional area features elevations down to less than 60' while the lower area features elevations of less than 45'. The USGS topographic quads (Lake Helen and Orange City) are depicted in *Figure 2*.

This site is most generally classified as a Sand Pine scrub, defined by a pine community growing on deep, infertile deposits of mostly marine sands. Also occurring within this site is a small Wet Prairie, which is classified by grassy vegetation on hydric soils. The site is completely surrounded by Residential and Institutional areas.

Four (4) soil types within the project site were identified using aerial maps (*Figure 3*). The soil types identified within the project site are: Astatula fine sand, Orsino fine sand, Paola fine sand (0-8% slopes), and Paola fine sand (8-17% slopes). The following is a general description of site soils, as described within the SCS survey.

Astatula fine sand, 0 to 8 percent slopes

This is an excessively drained soil on ridges or hills on marine terraces in the Sand Pine Scrub. The depth to the water table is more than 80 inches. With its very low (about 2.4 inches) available water capacity, this soil experiences neither flooding nor ponding. The soil consists of Eolian or sandy marine deposits with a typical profile of fine sand from 0

to 95 inches. It is a nonsaline soil with a maximum sodium absorption ratio of 4.0.

Orsino fine sand, 0 to 5 percent slopes

This is a moderately well drained soil on ridges or hills on marine terraces in the Sand Pine Scrub. The water table is within a depth of about 42 to 60 inches with neither flooding nor ponding. This soil's available water capacity is very low (about 3.0 inches). The soil consists of Eolian or sandy marine deposits with a typical profile of fine sand from 0 to 80 inches. It is a nonsaline soil with a maximum sodium absorption ratio of 4.0.

Paola fine sand, 0 to 8 percent slopes

This is an excessively drained soil on hills or knolls on marine terraces in the Sand Pine Scrub. The depth to the water table is more than 80 inches. With its very low (about 2.4 inches) available water capacity, this soil experiences neither flooding nor ponding. The soil consists of sandy marine deposits with a typical profile of fine sand from 0 to 80 inches. It is a nonsaline soil with a maximum sodium absorption ratio of 4.0.

Paola fine sand, 8 to 17 percent slopes

This soil is identified very similarly to the Paola fine sand of 0 to 8 percent slopes with the exception that this soil is more commonly on valley sides on marine terraces in the Sand Pine Scrub. Both soils contain the same minor components of Astatula, Tavares, Orsino, and Daytona. Paolo fine sand, 0 to 8 percent slopes, however, also contains St. Lucie.

3.2 Vegetation and Community Types

Natural vegetation grows in particular associations that can be classified into ecological units known as "communities", and various land uses can be categorized into descriptive classifications. The communities and land uses incorporated into the surveyed area were designated by BKI using the Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999) as a guideline. It should be noted that variations between the published FLUCFCS descriptions and the actually occurring on-site land use/communities may exist; consequently, the classifications which came closest to the observed on-site land uses/communities were chosen, but may not match precisely. The northern portion of the parcel has slightly less dense vegetation. Vegetation on the majority of the parcel is extremely dense. Photographs of the vegetative communities are included in *Appendix B*.

Specific land uses/communities identified within the project site are: Sand Pine (4130) and Wet Prairie (6430 (*Table 2*)). The following is a discussion of these classifications, as they occur on the subject property, including an assessment of their jurisdictional status based on rules and regulations of the St. Johns River Water Management District (SJRWMD) and U.S. Army Corps of Engineers (ACOE). The locations of these land uses/communities are depicted on *Figure 4*.

Sand Pine (4130) (±118.7 acres)

This pine community grows on deep, infertile deposits of marine sands and clays and is dominated by sand pine (*Pinus clausa*). This area was highly impacted by the 2004 hurricanes and many adult trees were blown over. Natural regeneration of sand pines is now occurring and the site is extremely overgrown with vines (*Vitis* spp.), small oaks (*Quercus* spp.), and shrubs (*Lyonia ferruginea* and *Myrica cerifera*). These areas are not considered to be wetlands under state or federal law.

Wet Prairie (6430) (±3.3 acres)

This land use classification is typically composed of grassy vegetation on hydric soils and is distinguished from freshwater marshes in having shallower water levels and a shorter hydroperiod. The area is vegetated by maidencane (*Panicum hemitomon*), roadgrass (*Eleocharis baldwinii*), Carolina willow (*Salix caroliniana*), carpet grass (*Axonopus* spp.), dog fennel (*Eupatorium capillifolium*), and flat sedge (*Cyperus surinamensis*). In this particular instance, the wetland is a perched system on sandy soils. Apparently large amounts of stormwater inundate the area that result in a wetland persisting. By the presence of old large sand pine stumps, this area had an extensive time period where it was dry and allowed the sand pine to establish and grow. There is an outfall onsite that supplies water from somewhere to the site. This area is covered by the jurisdiction of the SJRWMD.

Several paths have been created across the parcel. Many of the paths are in the southern portion of the site that is proposed for development of a utility system. The paths were a result of acquiring geo-technical data for the proposed construction area. The paths are approximately 12 feet in width and were mechanically reduced to obtain access to the interior of the site for drill rigs.

Table 2. Florida Land Use, Cover and Forms Classification System (1999) Summary for City of Deltona Parcel, Volusia County, Florida.

FLUCFCS Code	Name	Acreage
4310	Sand Prairie	118.7
6430	Wet Prairie	3.3
Total		122.0

3.3 Habitat Suitability

Scrub-jay habitat suitability is typically categorized in three (3) levels: TYPE I HABITAT - an upland plant community, assessed in one-acre plots, with greater than or equal to 15 percent cover of scrub oak species; TYPE II HABITAT - an upland plant community, assessed in one-acre plots, with percent cover of scrub oak species greater than zero but less than 15 percent; and TYPE III HABITAT - native or improved uplands and /or seasonally dry wetlands within 1/4 mile of Type I or Type II habitat.

Based on the above listed descriptions, the following scrub-jay habitat designations apply for natural communities found on or near the project site:

- Sand Pine Type II
- Wet Prairie Type III

Although there are scrub-oak species within the shrub layer, the majority of the vegetation is 10-15 feet in height. The areas that the scrub-jays utilize have slightly less dense vegetative densities. The parcel had a dense canopy of large sand pines until the hurricanes of 2004. A large percentage of the canopy was blown down (>80%), resulting in a huge amount of growth of the understory. The understory species are 10-15 feet high and nearly impenetrable in areas.

4.0 RESULTS AND CONCLUSIONS

Call stations were established within the habitats on the project site between October 8, 2013 and October 25, 2013. The location of all transects are illustrated on *Figure 5*. Additionally, the parcel is utilized by many species of birds. *Table 3* includes a list of bird species observed during the survey efforts. This survey concluded that Florida scrub-jays presently utilize the 122 acre site. Occupied territory is present on the northern two-thirds of the site. Occupied territories were developed using all information accumulated during the survey period. We believe the data presented in this report are indicative of *current* Florida scrub-jay use on the subject site.

Table 3: Bird Species Observed During Deltona Survey 2013

Common Name	Scientific Name
Barn Swallows	<i>Hirundo rustica</i>
Black Vulture	<i>Coragyps atratus</i>
Blue-jay	<i>Cyanocitta cristata</i>
Brown Thrasher	<i>Toxostoma rufum</i>
Cape May Warbler	<i>Dendroica tigrina</i>
Cardinal	<i>Cardinalis cardinalis</i>
Carolina Wren	<i>Thryothorus ludovicianus</i>
Eastern Towhee	<i>Pipilo erythrophthalmus</i>
Gray Catbird	<i>Dumetella carolinensis</i>
Great Crested Flycatcher	<i>Myiarchus crinitus</i>
Mockingbird	<i>Mimus polyglottos</i>
Osprey	<i>Pandion haliaetus</i>
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>
Red-bellied Woodpecker	<i>Melanerpes carolinus</i>
Red-shouldered Hawk	<i>Buteo lineatus</i>
Turkey Vulture	<i>Cathartes aura</i>
Yellow-Throated Vireo	<i>Vireo flavifrons</i>

Scrub-jays currently utilize the northern two-thirds of the 122 acre parcel. The locations of observations have been depicted on *Figures 6 - 10*. Observation data is summarized in *Table 4*. Scrub-jays were observed on the central transect during all sampling days. Jays were observed on the northern end of the parcel on most of the survey dates. Additionally, on two (2) separate occasions territorial interactions were observed on the central transect. Jays were also observed following recorded calls into taller canopy and areas not considered suitable. It is believed that these areas are not regular territory but undefended boundaries where the birds will follow the squawking box. Due to the curiosity of jays, they will follow people and recorded calls into areas that are not occupied territory if the boundary is not defended by other jays. The family in the center of the site will venture into tall sand pines to the east. It was observed that the birds will fly through this area in an effort to gain access to food at a nearby residence.

Table 4: Scrub-Jay Observation Data

Observations	Number of Jays
Date: 10/08/13	
1	3
2	3
3	2
4	1
5	1
6	2
7	1
8	3
9	5
10	1
11	3
12	1
13	5
14	2
15	4
Date: 10/10/13	
1	1
2	1
3	1
4	3
5	2
Date: 10/11/13	
1	2
2	1
3	1
Date: 10/22/13	
1	3
2	2

3	1
4	2
5	2
Date: 10/25/13	
1	2
2	2

Results indicate that at least three (3) family groups are utilizing the parcel. Two (2) of those territories are on or adjacent to the southern fifty (50) acres of the overall parcel. At least seven (7) birds were simultaneously observed on one occasion. We believe the total amount of scrub-jays onsite is between 8-10 individuals. *Figure 11* is a depiction of the occupied territories onsite.

Jays responded very well to recorded calls the first several days of surveying. Since the survey period was late in the fall, territorial displays were minimal. Most of the activities were related to foraging. Sentinel jays would respond to the calls and, after discovering the calls were coming from a grey box, would return to their normal foraging activities. The jays appear to utilize any open or less vegetated area on the parcel. *Figure 12* compares the mapped territories from the 2011 and 2013 surveys.

5.0 IMPACT ASSESSMENT

5.1 Impact

The project will result in the direct impact of the foraging habitat (0.45 acres) within the construction project. The land will become baseball fields, park, parking, and associated stormwater ponds. While the project will clear the aforementioned foraging habitat, it is believed that the scrub-jays will continue to utilize the rest of the site and even some of the newly cleared areas within the construction site. The scrub-jay families onsite will not likely be directly impacted by the construction of the project. Indirect impacts may occur from the construction of the public utility and park (*Figure 13*).

5.2 Minimization

The Applicant will minimize potential impacts to scrub-jays by surveying for nests within the 0.45 acres if clearing activities occur during the nesting season (March-June).

5.3 Mitigation Measures

To mitigate for impacts to scrub-jay foraging habitat, the Applicant will remit payment to the Florida Scrub-jay Conservation Fund. The fund is administered by The Nature Conservancy to purchase lands and perpetually manage lands that are twice as much as the habitat being destroyed. The payment of \$13,320.90 represents two times the acreage of impact times the land acquisition costs for west Volusia County ($[0.45 \times 2] \times \$14,801$) as outlined in the USFWS Florida Scrub-Jay Umbrella Habitat Conservation Plan Revised August, 2013. This payment is in addition to the previous \$56,243.80 that was paid as a mitigation measure for the initial permit.

Parks portion will only be \$13,320.90.

5.4 Monitoring

No additional monitoring will occur related to the construction project.

6.0 BIOLOGICAL GOAL OF HCP

The biological goal of this HCP is to provide sufficient funding to ensure that an appropriate amount of scrub-jay habitat is purchased and managed continually to improve scrub-jay survival throughout their range.

7.0 ALTERNATIVES CONSIDERED TO AVOID IMPACTS TO SCRUB-JAYS

Impacts to scrub-jay foraging habitat could be accomplished if the public utility, water reclamation facility was not constructed at the proposed site. The site was already redesigned to avoid any impacts to scrub-jays after a 2011 survey depicted scrub-jay territories onsite. After the redesign the scrub-jays started to utilize the newly created trails onsite. The establishment of the site is to construct a facility that will benefit the regional water resources and a park with ball fields for the citizens of the City of Deltona.

8.0 CHANGED AND UNFORESEEN CIRCUMSTANCES

Unforeseen or changed circumstances may become apparent to either the Permittee, authorized agents, or to personnel of the USFWS.

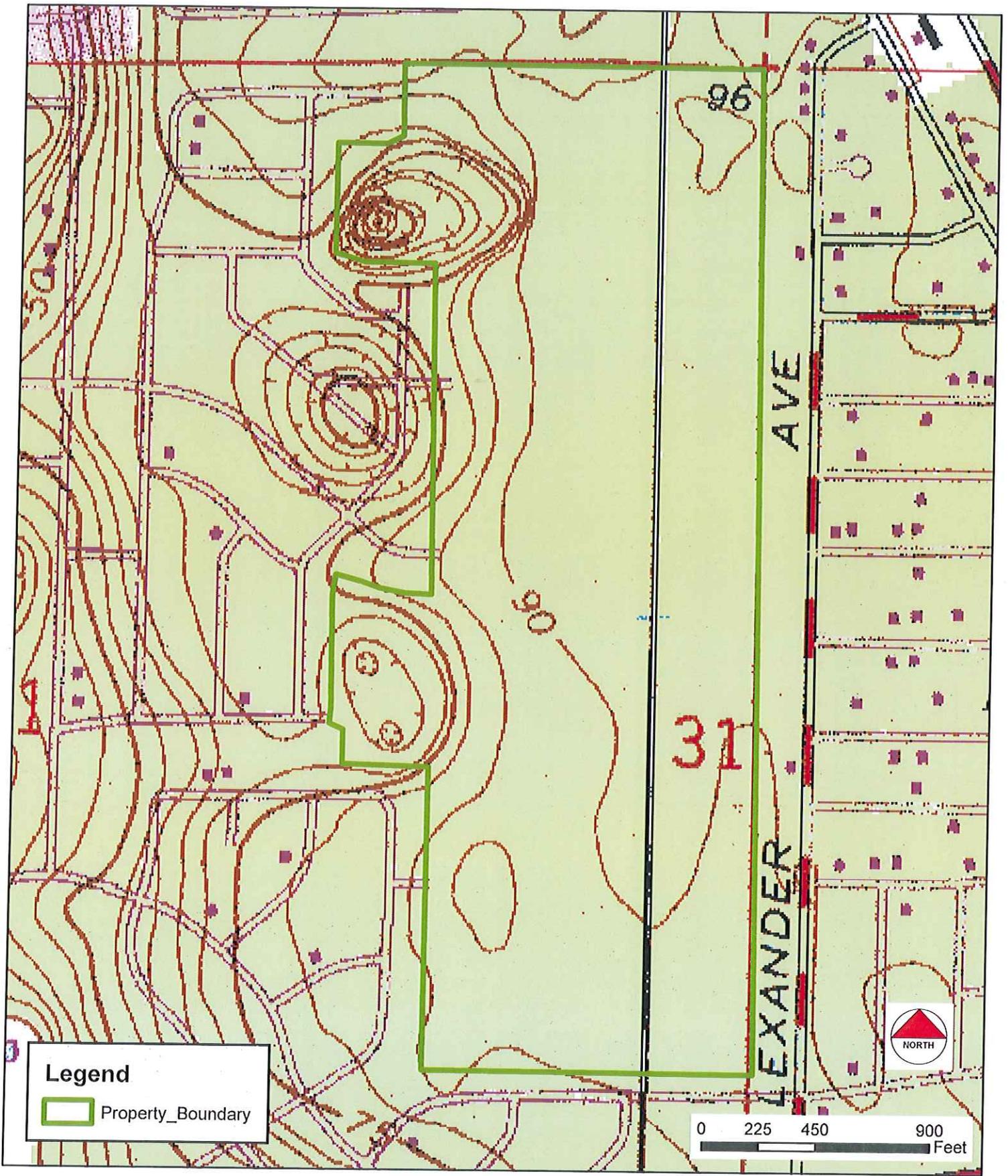
Should either unforeseen or changed circumstances arise, the Permittee and the contact office of the USFWS shall meet within twenty (20) working days following notice. The USFWS and the Permittee shall together agree upon appropriate and reasonable measures for addressing such circumstances, within the rule of applicable law, and the Permittee shall implement appropriate and reasonable measures within an additional thirty (30) working days, unless a longer period of time is agreed to by the USFWS.



BKI, Consulting Ecologists
 225 Fifth Ave. Suite 2
 Indialantic, Florida 32903
 321-951-7964

Subject: Location Map
 Project: 10010 Deltona 122 Acres
 Date: 10/30/13
 Note: Aerial is the 2012 high resolution image

Figure
 1



BKI, Consulting Ecologists
 225 Fifth Ave. Suite 2
 Indialantic, Florida 32903
 321-951-7964

Subject: USGS Topographic Map
 Project: 10010 Deltona 122 Acres
 Date: 10/30/13
 Note: Lake Helen and Orange City Quads

Figure
 2



BKI, Consulting Ecologists
 225 Fifth Ave. Suite 2
 Indialantic, Florida 32903
 321-951-7964

Subject: NRCS Soils Map
 Project: 10010 Deltona 122 Acres
 Date: 10/30/13
 Note: NRCS Soil Survey

Figure
 3



BKI, Consulting Ecologists
 225 Fifth Ave. Suite 2
 Indialantic, Florida 32903
 321-951-7964

Subject: Land Use Map
 Project: 10010 Deltona 122 Acres
 Date: 10/30/13
 Note: SJRWMD Land Use with revisions for site conditions

Figure
 4



BKI, Consulting Ecologists
225 Fifth Ave. Suite 2
Indialantic, Florida 32903
321-951-7964

Subject: Transect Map
Project: 10010 Deltona 122 Acres
Date: 10/30/13
Note: SJRWMD Land Use

Figure
5

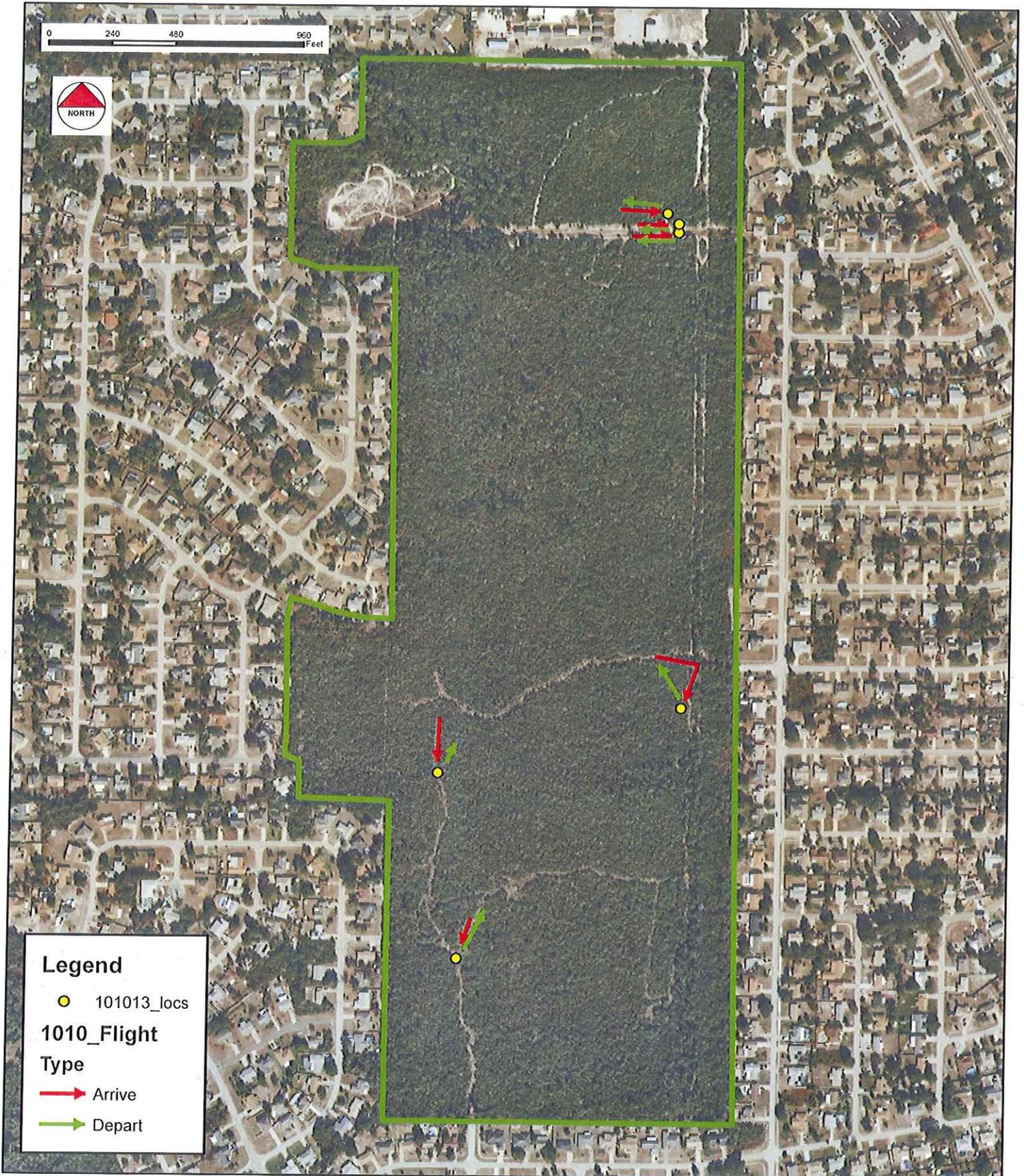


BKI, Consulting Ecologists
 225 Fifth Ave. Suite 2
 Indialantic, Florida 32903
 321-951-7964

Subject: 10/08/13 Observation Map
 Project: 10010 Deltona 122 Acres
 Date: 10/29/13

Note: Movements and responses detailed by arrows.

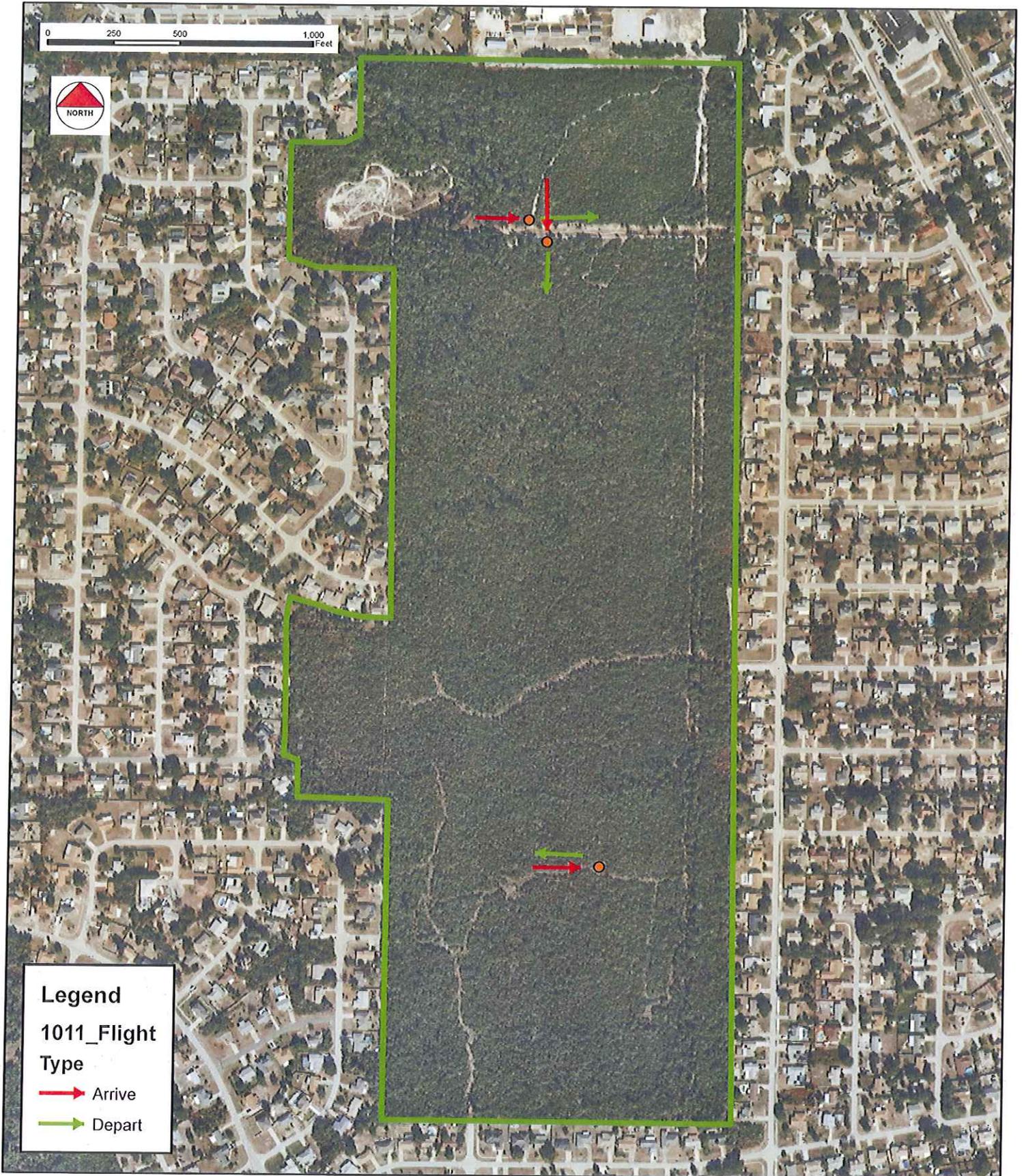
Figure
 6



BKI, Consulting Ecologists
 225 Fifth Ave. Suite 2
 Indialantic, Florida 32903
 321-951-7964

Subject: 10/10/13 Observation Map
 Project: 10010 Deltona 122 Acres
 Date: 10/29/13
 Note: Movements and responses detailed by arrows.

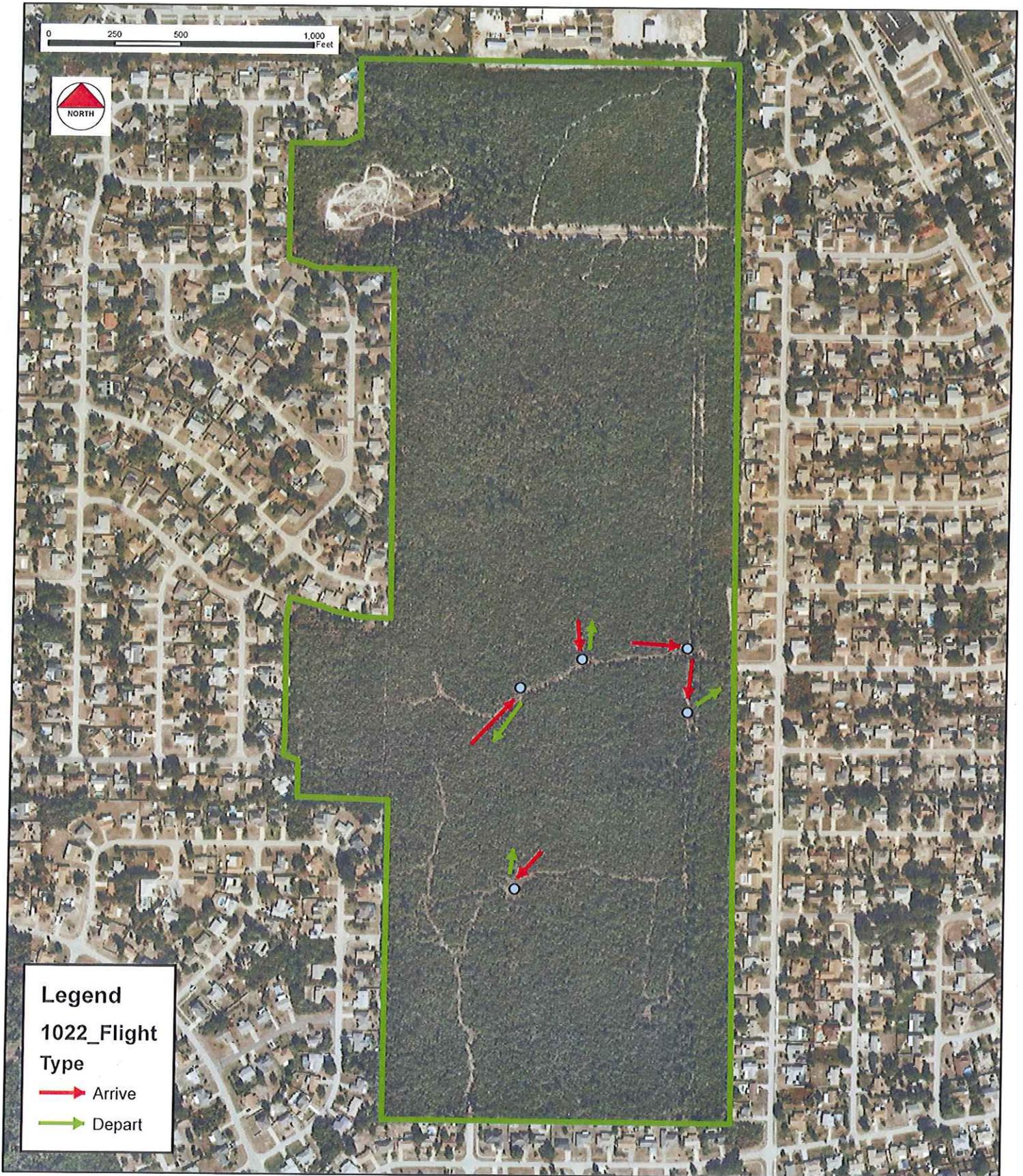
Figure
 7



BKI, Consulting Ecologists
225 Fifth Ave. Suite 2
Indialantic, Florida 32903
321-951-7964

Subject: 10/11/13 Observation Map
Project: 10010 Deltona 122 Acres
Date: 10/29/13
Note: Movements and responses detailed by arrows.

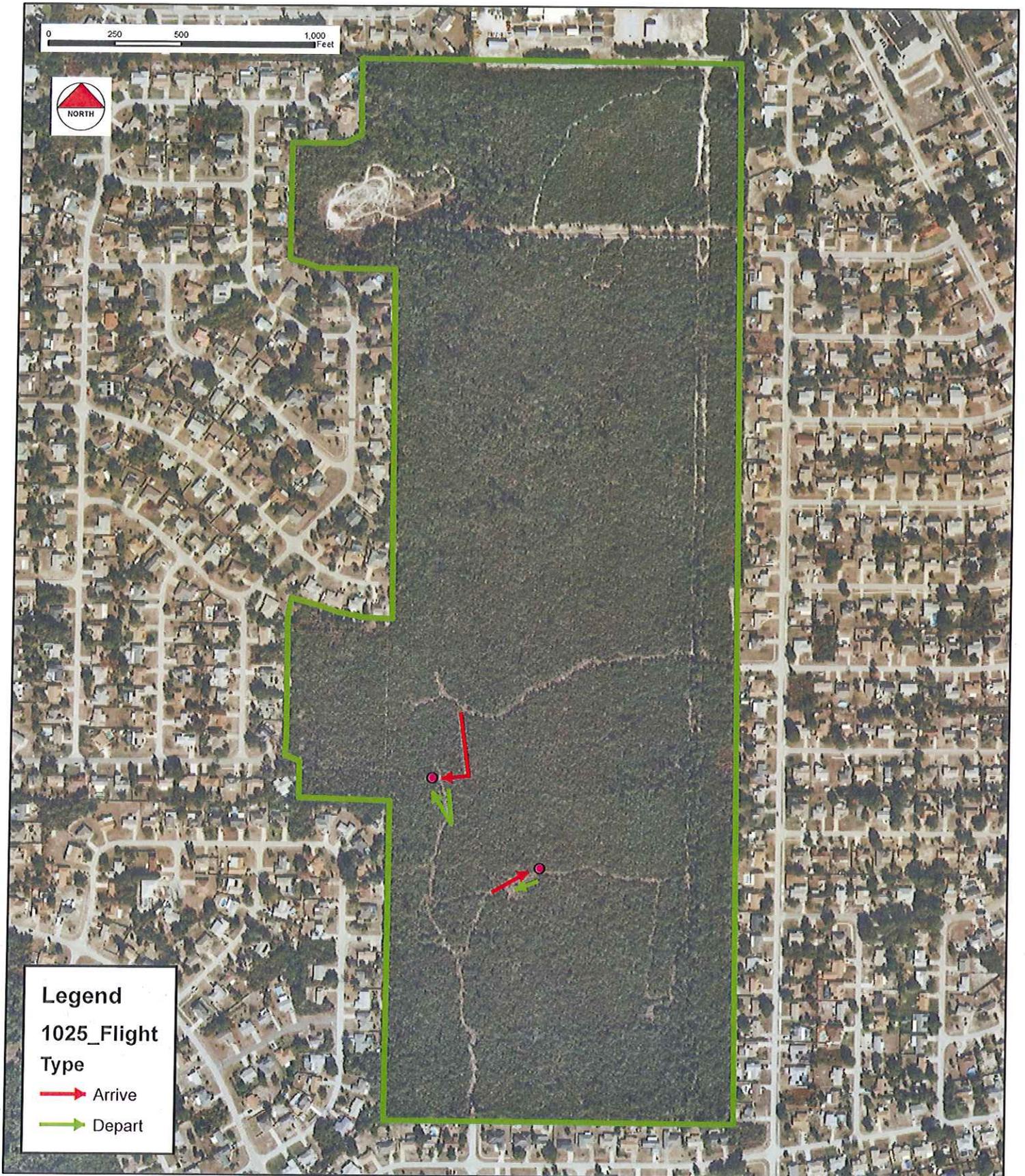
Figure
8



BKI, Consulting Ecologists
225 Fifth Ave. Suite 2
Indialantic, Florida 32903
321-951-7964

Subject: 10/22/13 Observation Map
Project: 10010 Deltona 122 Acres
Date: 10/29/13
Note: Movements and responses detailed by arrows.

Figure
9



BKI, Consulting Ecologists
225 Fifth Ave. Suite 2
Indialantic, Florida 32903
321-951-7964

Subject: 10/25/13 Observation Map
Project: 10010 Deltona 122 Acres
Date: 10/29/13
Note: Movements and responses detailed by arrows.

Figure
10



BKI, Consulting Ecologists
 225 Fifth Ave. Suite 2
 Indialantic, Florida 32903
 321-951-7964

Subject: Estimated Territory Map
 Project: 10010 Deltona 122 Acres
 Date: 10/29/13

Note: Movements and responses detailed by arrows.

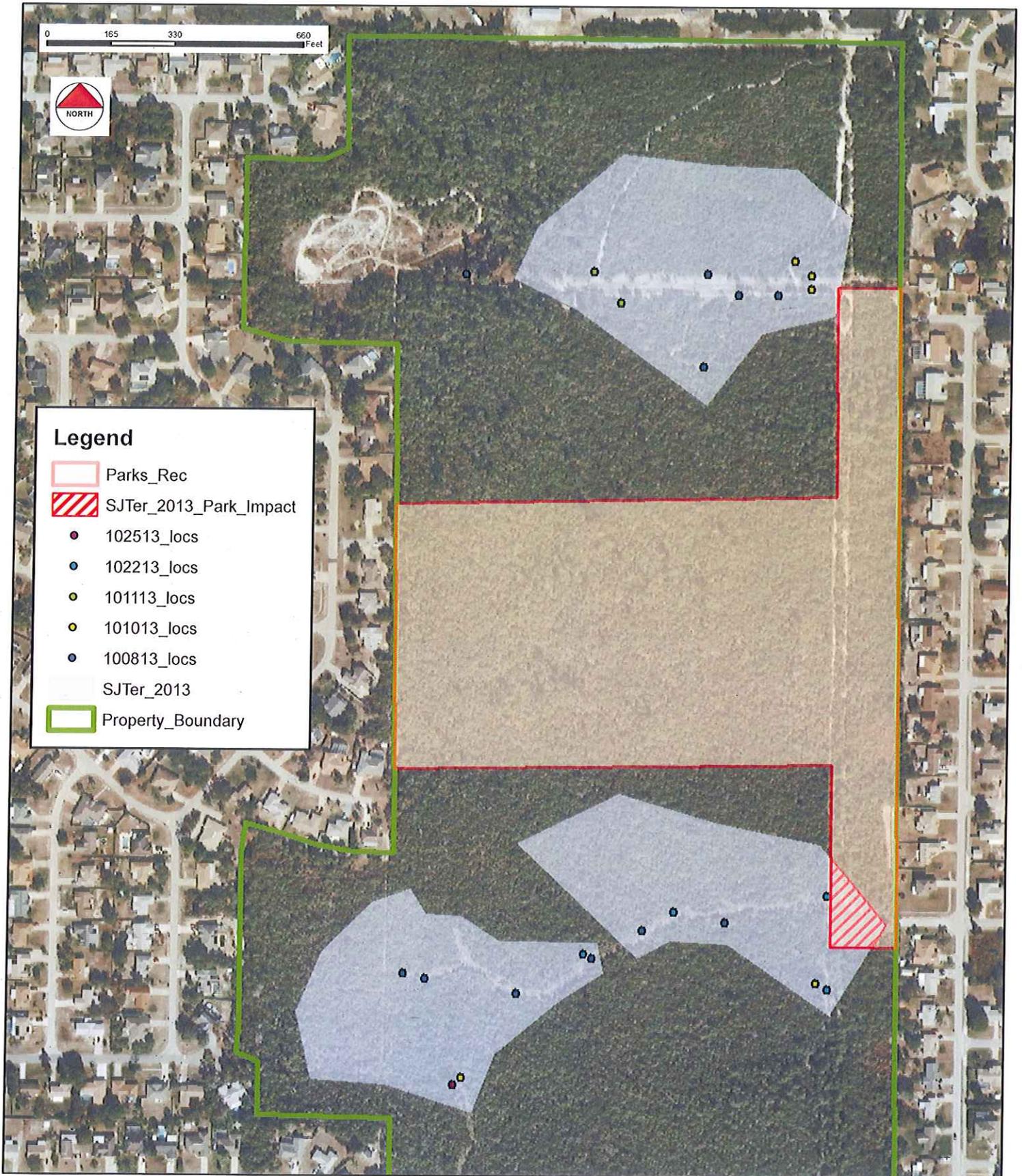
Figure
 11



BKI, Consulting Ecologists
 225 Fifth Ave. Suite 2
 Indialantic, Florida 32903
 321-951-7964

Subject: 2011 and 2013 Territory Map
 Project: 10010 Deltona 122 Acres
 Date: 10/31/13
 Note: FDEP Aerial 2012

Figure
 12

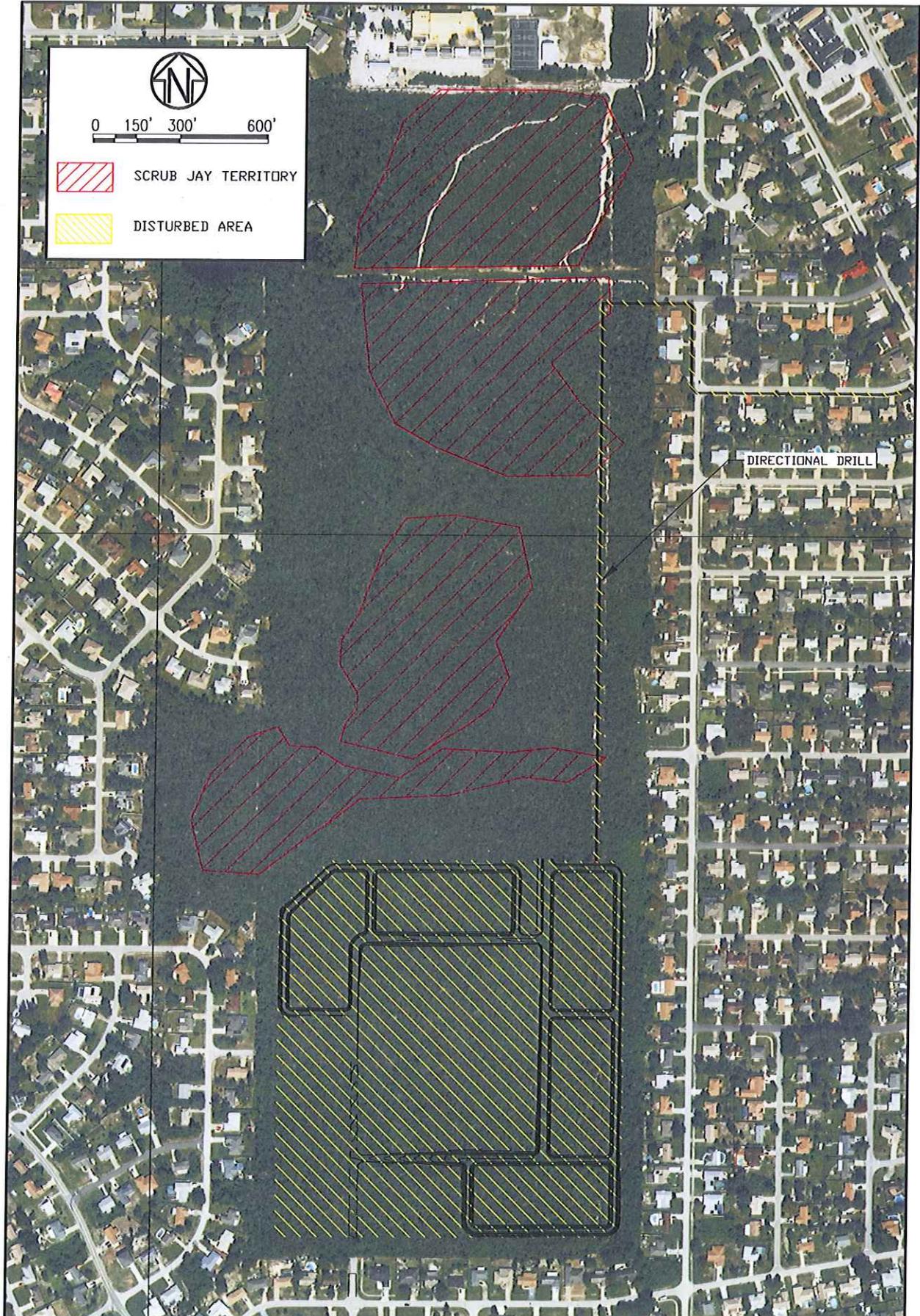


BKI, Consulting Ecologists
 225 Fifth Ave. Suite 2
 Indialantic, Florida 32903
 321-951-7964

Subject: Parks and Recreation Map
 Project: 10010 Deltona 122 Acres
 Date: 06/03/14
 Note: Territories were developed from scrub-jay
 responses and movements (10/08-25/2013).

Figure
 13

Appendix A
Proposed Facility



PROJECT NO.	00000.00	DATE	APPR.	REVISION/ACTION TAKEN
DESIGNED BY:				
DRAWN BY:				
CHKD BY:				
PROJ. MGR.	---			
DATE: MONTH, YEAR				NOT RELEASED FOR CONSTRUCTION BY DATE: / /

CITY OF DELTONA
122 ACRE RIB SITE &
FORCEMAIN

BASKERVILLE-DONOVAN, INC.
Innovative Infrastructure Solutions
1115 MICHELL ROAD, SUITE 101, MELBOURNE, FL 32940 (321) 254-2663
(ENGINEERING BUSINESS BRANCH)
Panama City - Panama City Beach - Tallahassee - Mobile - Escambia County - Tampa
This drawing is the property of BASKERVILLE-DONOVAN, INC. and is not to be reproduced in whole or in part. It is not to be used on any other project and is to be returned upon request.




128 Acre Aerial
 PREPARED BY:
 CITY OF DELTONA
 DEPT. OF PLANNING AND DEVELOPMENT
 2345 PROVIDENCE BLVD.,
 DELTONA, FL, 32725
 PHONE: (386) 878-8600
 FAX: (386) 878-8601


 Feet
 0 50 100 200 300 400 500

Appendix B

Survey Site Photographs



Photograph 1. Scrub-jay that responded to calling along the central east-west transect.



Photograph 2. Scrub-jay that responded to calling along the central east-west transect.



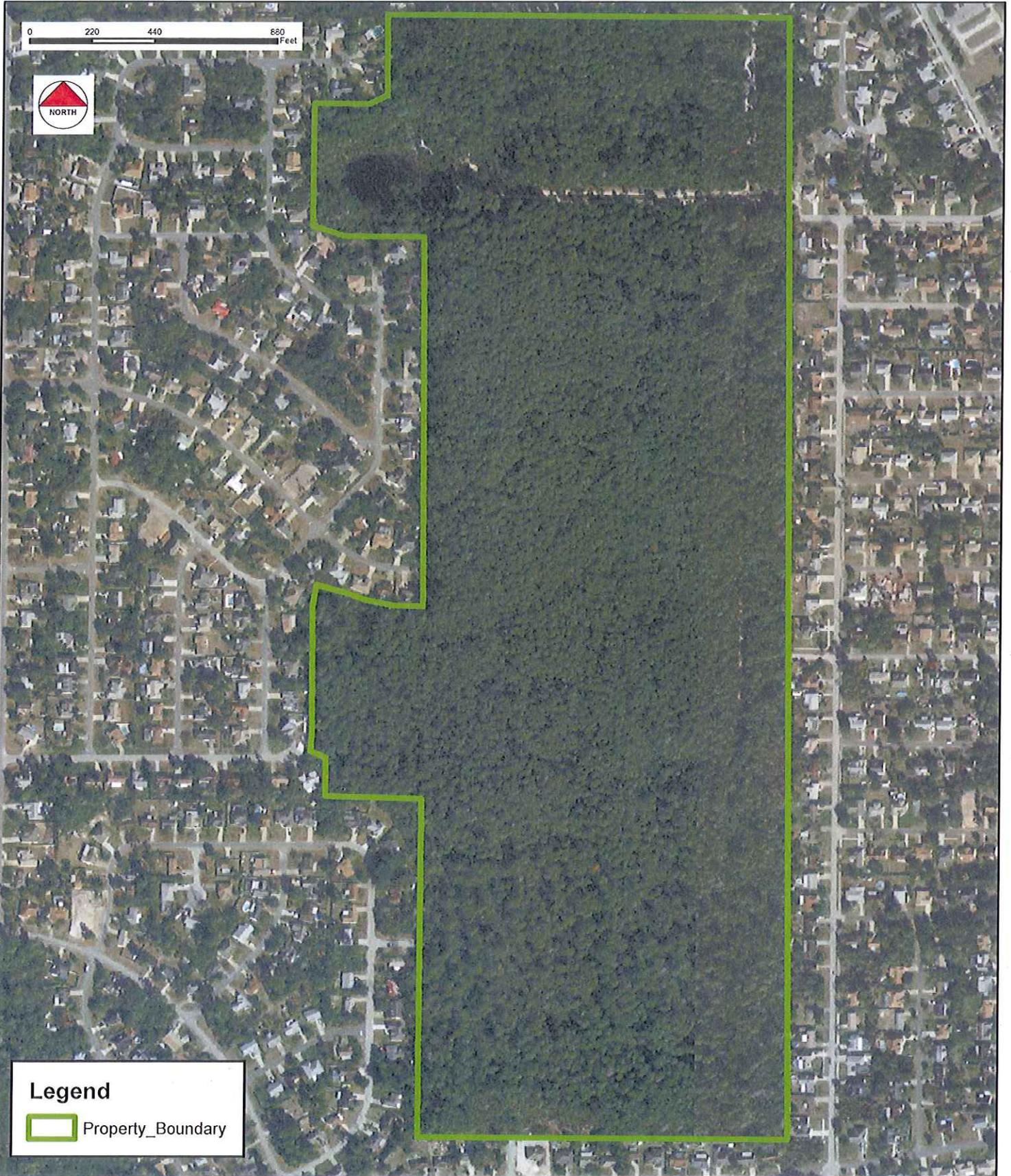
Photograph 3. Typical vegetation on-site. The vegetation is extremely tall and dense, not ideal scrub-jay habitat.



Photograph 4. Scrub-jay that responded to calling on the western edge of the central east-west transect.

Appendix C

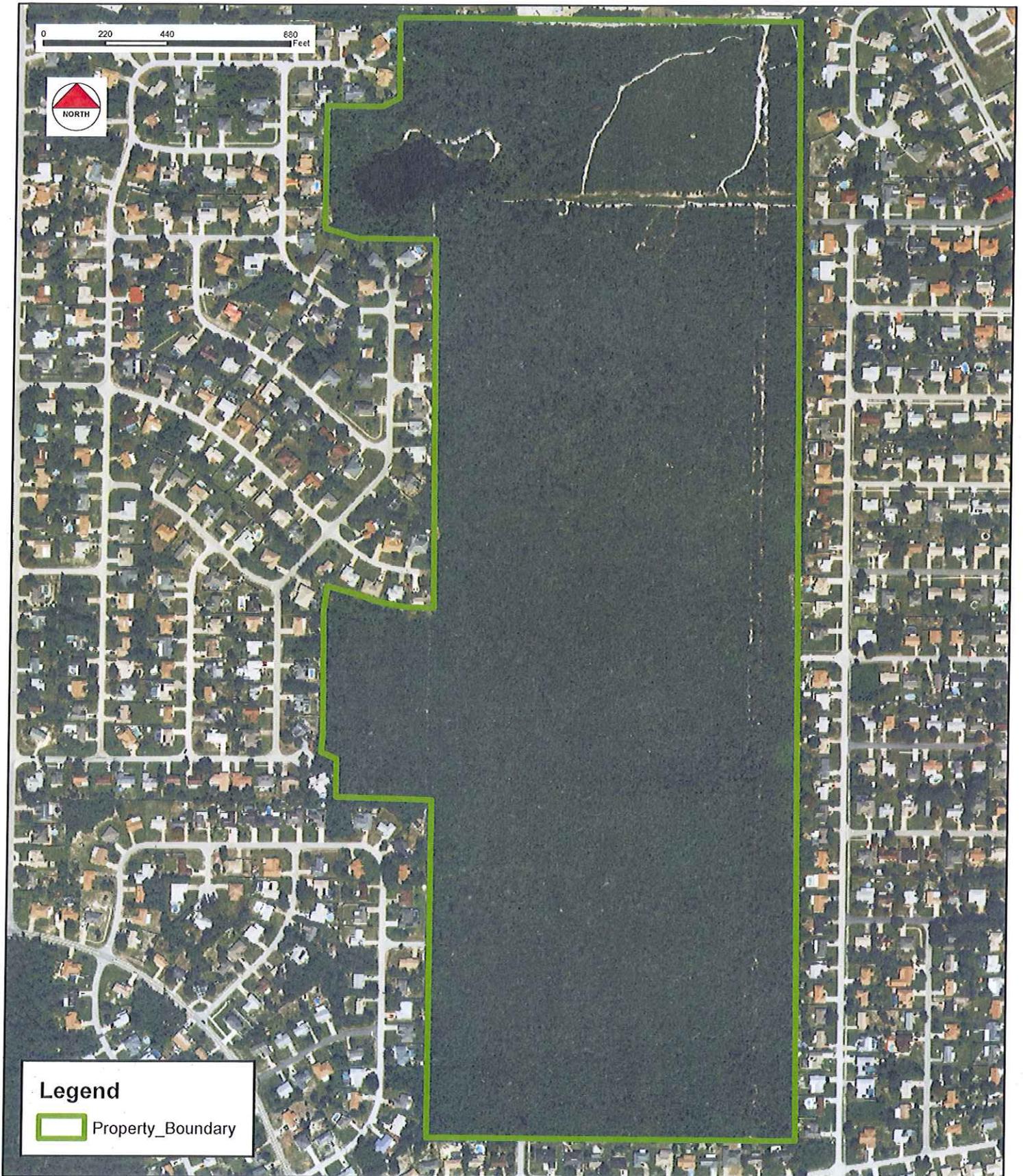
Aerial Photographs



BKI, Consulting Ecologists
225 Fifth Ave. Suite 2
Indialantic, Florida 32903
321-951-7964

Subject: 2004 Aerial
Project: 10010 Deltona 122 Acres
Date: 10/31/13
Note: FDEP Aerial

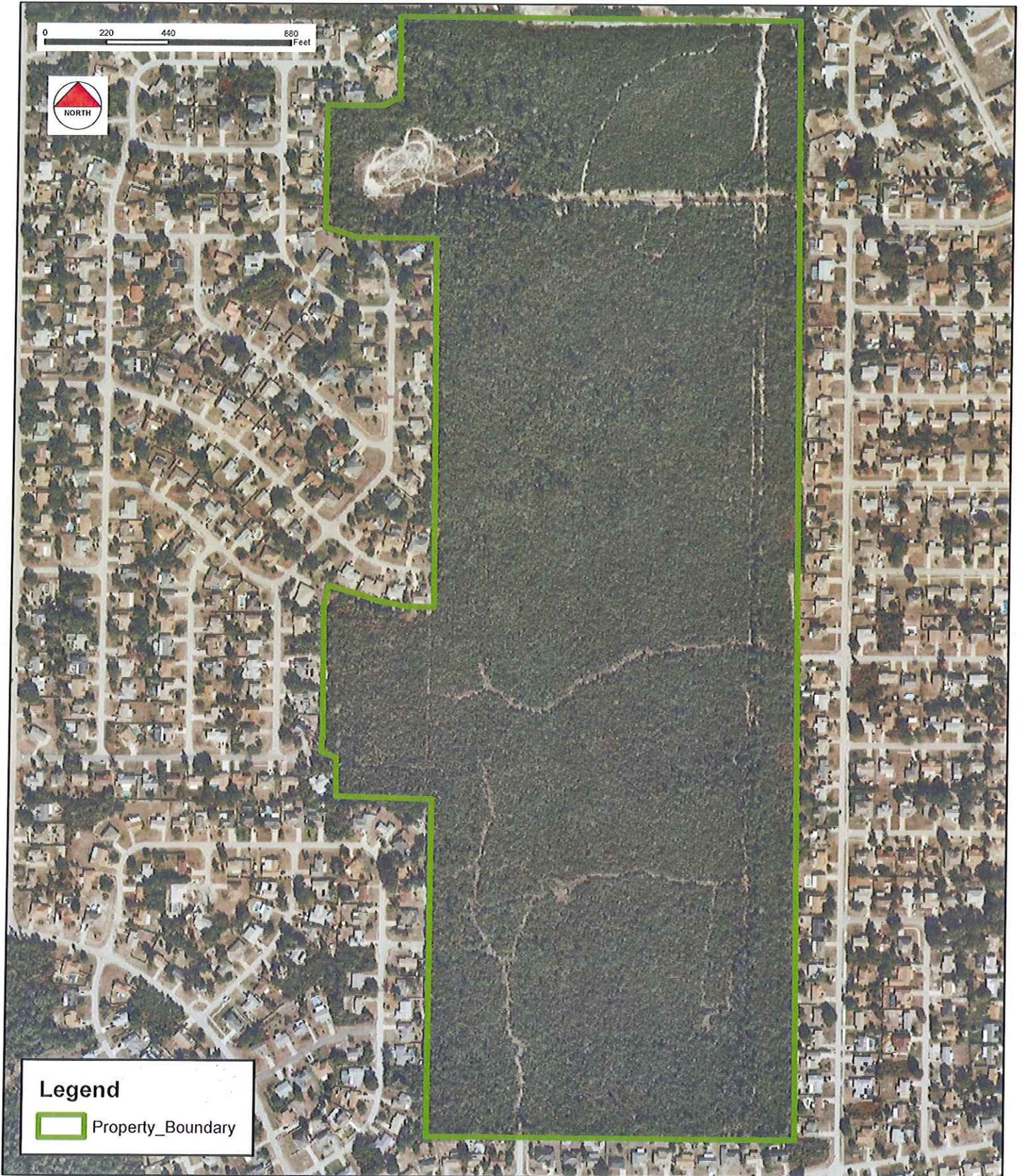
Figure
C1



BKI, Consulting Ecologists
225 Fifth Ave. Suite 2
Indialantic, Florida 32903
321-951-7964

Subject: 2009 Aerial
Project: 10010 Deltona 122 Acres
Date: 10/31/13
Note: FDEP Aerial

Figure
C2



BKI, Consulting Ecologists
225 Fifth Ave. Suite 2
Indialantic, Florida 32903
321-951-7964

Subject: 2012 Aerial
Project: 10010 Deltona 122 Acres
Date: 10/31/13
Note: FDEP Aerial

Figure
C3



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 7 - B
SUBJECT: Request approval of Resolution 2014-30, amending the existing minimum fund balance policy to add a Grants Match reserve.

LOCATION:	City-wide
BACKGROUND:	The City adopted Resolutions 2011-31 and 2012-29 establishing a minimum fund balance policy for the City's General Fund. Staff is proposing the City add an additional reserve for a Grants Match in the amount of \$500,000. Many granting agencies operate on fiscal years that do not coincide with the City's fiscal year. Therefore, the purpose of this additional reserve is to provide funding for grant matches that staff was not aware of during the budget process and therefore were not included in the City's annual budget.
ORIGINATING DEPARTMENT:	Finance
SOURCE OF FUNDS:	General Fund Reserves
COST:	N/A
REVIEWED BY:	Acting City Manager, City Attorney, Finance Director
STAFF RECOMMENDATION PRESENTED BY:	Finance Director Robert Clinger - Staff recommends that the Commission approve Resolution 2014-30 establishing a \$500,000 Grant Match fund balance reserve.
POTENTIAL MOTION:	"I move to approve Resolution 2014-30 establishing a \$500,000 Grants Match fund balance reserve."
AGENDA ITEM APPROVED BY:	<hr/> Dale Baker, Acting City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• Resolution No. 2014-30

RESOLUTION NO. 2014-30**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, TO EXPAND THE CITY'S MINIMUM FUND BALANCE POLICY (RESOLUTION 2012-29) TO ADD A GRANT MATCH RESERVE.**

WHEREAS, the City of Deltona desires to expand its minimum fund balance policy; and

WHEREAS, the City of Deltona desires to add a Grant Match reserve of \$500,000 to its minimum fund balance policy defined in Resolutions 2011-31 and 2012-29 for the purpose of providing the City with future matching funds as needed to enable it to apply for grants that arise during that year that were not included in the annual budget process, and

WHEREAS, this Grant Match reserve is a one-time only reserve, unless directed otherwise by the Commission, it will not be replenished as it is consumed by Commission directive.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA, that the City Manager is hereby authorized to establish the following new reserve, that is in addition to those specified by City Commission Resolutions 2011-31 and 2012-29, until such time as the funds are depleted by Commission directive: a Grant Match reserve equal to \$500,000.

ADOPTED BY the City Commission of the City of Deltona, Florida, this, _____ day of _____, 2014.

BY: _____
JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

JOYCE RAFTERY, City Clerk

City of Deltona
Resolution No. 2014-30
Page 2 of 2

Approved as to form and legality for use
and reliance of the City of Deltona, Florida:

GRETCHEN R. H.VOSE, City Attorney



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 7 - C
SUBJECT: Request for approval of Facility Use Agreement for Game Changer Sports Academy Basketball.

LOCATION:

Wes Crile Park Gymnasium, 1537 Norbert Terrace, Deltona, FL 32725

BACKGROUND:

The Game Changer Sports Academy (GCSA) Inc., is a Florida nonprofit corporation whose main goal is to familiarize young participants with the fundamentals of Basketball. To provide young participants with the opportunity to play in an organized and supervised environment. Teaching that academics and athletics should be joint communal efforts. To provide an atmosphere conducive to the development of sound mind, body, and spirit. To provide a forum for the open discussion of all matters of youth interest.

The Facility Use Agreement between the City and GCSA is for non-exclusive use of the Wes Crile Park gymnasium. Their use is seasonal in nature. GCSA will be required to pay the City of Deltona, \$5 per child per participant who is registered and assigned to a team beginning on or before the end of the first month of the season being played. This program will operate four (4) seasons annually, averaging 65 hours of facility use or approximately 260 hour annually. The time of use will be on Monday's from 6:00-9:00 PM and Saturday's 12:00-8:00 PM.

GCSA has met the criteria requirements for a long term facility use agreement with the City. Staff have discussed the terms of this agreement and both parties are in agreement to move forward at this time. Staff recommends a one (1) year agreement, and may be renewed yearly up to a total of three (3) additional years, upon written acceptance by the City prior to each successive renewal.

ORIGINATING DEPARTMENT:

Parks Recreation

SOURCE OF FUNDS:

NA

COST:

NA

REVIEWED BY:

City Clerk, Deputy City Manager

**STAFF
RECOMMENDATION
PRESENTED BY:**

Steve Moore, Parks and Recreation Director-is requesting consideration for approval and award the Facility Use Agreement with Game Changer Sports Academy Inc., for a one (1) year period, with an option to renew for three (3) one-year periods upon written agreement by both parties.

**POTENTIAL
MOTION:**

" I move to approve the Facility Use Agreement with Game Changer Sports Academy Inc., at Wes Crile Park Gymnasium for a period of one (1) year, with the option to renew for three (3) one-year periods upon written agreement by both parties."

**AGENDA ITEM
APPROVED BY:**

Dale Baker, Acting City Manager

ATTACHMENTS:

- Game Changer Sports Academy Application
- Game Changer
- Game Changer Sunbiz
- Game Changer Sunbiz pg2
- Game Changer Insur FUA
- Game Changer Insur pg2 FUA
- Game Changer Art of Inc FUA
- Game Changer Art of Inc pg2 FUA
- Game Changer BOD FUA
- Game Changer Schedule FUA
- Game Changer Bio
- Facility Use Agreement for Game Changer Sports Academy



City of Deltona

Facility Use Agreement Application

New Application Renewal

Name of Applicant/Organization: GameChanger Sports Academy
 Name of Contact Person: Mike Rea
 Mailing Address: 734 Edge W. Id CT
 Email Address (optional): M Rea 4407 @ Gmail.com
 Phone: Organization: () Home: () Cell: (886) 320-1232

FACILITY REQUESTED:

Name of Facility: Wes Crile Gymnasium
 Type of Activity: Youth Basketball Academy
 Dates of Use: 9/13 - 10/25 on Saturdays
 Time of Use: From: 9:00 AM To: 3:00 PM

DOCUMENTATION TO BE PROVIDED WITH APPLICATION:

"Non-Profit" groups, organizations, corporations or programs, please submit the following documents with your application:

- Copy of State of Florida Certificate of Corporation Registered Name identifying non-profit status
- Copy of Articles of Incorporation identifying Board Member name and address
- Copy of Consumer's Certificate of Exemption from the Dept. of Revenue showing Exemption Category 501-c3
- Federal Identification Number of Organization
- Certificate of Liability Insurance (please read Insurance Requirements on page 2)
- List of coaches, officials, and employees
- Fees charged to and costs related to activity
- List of all officers of organization

"For-Profit" groups, organizations, corporations, programs, or individual, please submit the following documents with your application:

- Federal Identification Number of Organization or Social Security Number for individual operating any "for-profit" activity
- Copy of Fictitious Name Registration from the State of Florida
- Copy of Occupational License and/or Business Tax Receipt
- Certificate of Liability Insurance (please read Insurance Requirements on page 2)
- List of coaches, officials, and employees
- Fees charged and costs related to activity
- List of all officers of organization

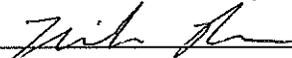
INSURANCE REQUIREMENTS:

The City of Deltona requires the organization, group or individual utilizing the facility to be covered by insurance. A Certificate of Insurance must be filed with the City of Deltona prior to use of the facility. The Facility User shall provide a Certificate of Insurance from an insurance company rated "Class A" or better by A.M. Best or some other form of assurance approved by the City. The required insurance shall be evidenced by a Certificate of Insurance identifying the City of Deltona as an additional insured under their general liability policy, with minimum limits of \$1,000,000.00 per occurrence combined single limit, to include premises/operations, independent contractors, products/completed operations, broad form contractual and personal injury. The insurance company shall be instructed to provide a thirty (30) day notice of cancellation to the City. The City of Deltona requires that original certificates and endorsements be present before the approval of the Facility Use Agreement.

PLEASE READ CAREFULLY BEFORE SIGNING:

I have read and understand the attached Facility Use and Agreement Requirements and agree to be bound by all said policies, rules, regulations and conditions of use as written.

Applicant Signature:  Date: 6-29-14

Print Name: 

Title: Director

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS



Detail by Entity Name

Florida Non Profit Corporation

GAME CHANGER SPORTS ACADEMY INC.

Filing Information

Document Number	N14000002789
FEI/EIN Number	NONE
Date Filed	03/20/2014
State	FL
Status	ACTIVE
Effective Date	03/20/2014

Principal Address

734 EDGEWILD CT
ORANGE CITY, FL 32763

Mailing Address

734 EDGEWILD CT
ORANGE CITY, FL 32763

Registered Agent Name & Address

REA, MICHAEL S
734 EDGEWILD CT
ORANGE CITY, FL 32763

Officer/Director Detail

Name & Address

Title P

REA, MICHAEL S
734 EDGEWILD CT
ORANGE CITY, FL 32763

Title VP

DICKINSON, JOHN
201 S. FLORIDA AVE
DELAND, FL 32720

Title VP

REA, KIMBERLY K
734 EDGEWILD CT
ORANGE CITY, FL 32763

Annual Reports

No Annual Reports Filed

Document Images

03/20/2014 -- Domestic Non-Profit [View image in PDF format](#)

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State of Florida, Department of State



Special Markets Insurance Consultants, Inc.
1265 Main Street
Suite 202
Stevens Point, WI 54481

T 800.727.7642
F 715.344.6126

Thursday, July 10, 2014

Agency: Special Markets Insurance Consultants, Inc.

Insured: Game Changer Sports Academy

This **Participant Liability** quotation is offered to you through Special Markets Insurance Consultants and OneBeacon Insurance.

Policy Term: September 13, 2014 through October 26, 2014
Company: OneBeacon Insurance – A Rated, Admitted

Limits of Insurance:

\$2,000,000	General Aggregate Limit
\$2,000,000	Products/Completed Operations Aggregate
\$1,000,000	Personal & Advertising Injury Limit
\$1,000,000	Participant Legal Liability Limit (accident medical coverage)
\$1,000,000	Each Occurrence Limit
\$300,000	Fire Damage (any one fire) Limit
\$5,000	Medical Expense
\$0	Deductible

<u>Premium Basis</u>	<u>Total</u>
Term Premium - based on the application remitted	\$150.00
TRIA	\$1.00

<u>Fees</u>	<u>Rate</u>	<u>Type</u>	<u>Certificates</u>	<u>Total</u>
Additional Insured Certificates (non-commissionable)	\$35.00	per certificate	1	\$35.00

Liability Policy Total: \$186.00

Minimum Premium: \$151.00 – (minimum premium and fees are fully earned at policy inception).

Additional Insured's who are owners or lessors of premises may be added to your policy upon written request and payment of \$35.00 (non-commissionable) per additional insured.

Quotation is valid for 90 days.



Special Markets Insurance Consultants, Inc.
1265 Main Street
Suite 202
Stevens Point, WI 54481

T 800.727.7642
F 715.344.6126

Notable Exclusions: War, Assault & Battery, Asbestos, Nuclear Energy, Total Pollution, Employment Related Practices, Lead Liability, Discrimination, Communicable Diseases, **Participant Medical Expense, Abuse/Molestation** (unless a separate premium has been paid), Liquor Liability (unless a separate premium has been paid), Auto (unless a separate premium has been paid), Collapse of Temporary Structures, Throwing of Objects, Aircraft or Watercraft, Pyrotechnics/Fireworks, Saddle Animals, Trampolines, Cheerleading Pyramids over 1 and ½ persons high, Gymnastics, Motorized Sporting Activities, Professional Sport Activities, Water Sport Activities, Inflatable Amusement Devices, Mechanical Rides/Devices

Binding Requirements/Coverage Conditions:

- 1) Premium is based on the following Youth Basketball Instruction Camp/Academy
- 2) **Full premium and complete signed Special Markets Enrollment form must be received 24 hours prior to coverage effective date.** Premium check should be made payable to Special Markets Insurance Consultants, Inc. 1265 Main Street, Suite 202, Stevens Point, WI 54481.
- 3) To secure participant liability coverage included in this quotation you must: Purchase the Accident Medical coverage offered by Special Markets Insurance Consultants, Inc. or provide proof of Accident Medical coverage elsewhere for the needed limit. Waiver and Release form must be signed by all participants. In the event of a claim you may be asked to provide signed waiver forms. If Accident Medical coverage is not purchased Participant Liability coverage will be excluded.

Note: this is only a very general coverage reference and should not be relied upon to determine coverage provided by this policy. A complete copy of the policy is available upon written request.

Please contact Special Markets Insurance at (800) 727-7642 ext. 6105 if you have any questions.

Thank you,
Special Markets Insurance Consultants

**Electronic Articles of Incorporation
For**

N14000002789
FILED
March 20, 2014
Sec. Of State
tscott

GAME CHANGER SPORTS ACADEMY INC.

The undersigned incorporator, for the purpose of forming a Florida not-for-profit corporation, hereby adopts the following Articles of Incorporation:

Article I

The name of the corporation is:

GAME CHANGER SPORTS ACADEMY INC.

Article II

The principal place of business address:

734 EDGEWILD CT
ORANGE CITY, FL. 32763

The mailing address of the corporation is:

734 EDGEWILD CT
ORANGE CITY, FL. 32763

Article III

The specific purpose for which this corporation is organized is:

ORGANIZED AS A 501C(3) TO PROMOTE PHYSICAL WELL BEING
OF INDIVIDUALS THROUGH RECREATIONAL SPORTING ACTIVITIES.
THOSE SERVED WILL INCLUDE DISADVANTAGED FAMILIES.

Article IV

The manner in which directors are elected or appointed is:

AS PROVIDED FOR IN THE BYLAWS.

Article V

The name and Florida street address of the registered agent is:

MICHAEL S REA
734 EDGEWILD CT
ORANGE CITY, FL. 32763

I certify that I am familiar with and accept the responsibilities of registered agent.

Registered Agent Signature: MICHAEL REA

N1400002789
FILED
March 20, 2014
Sec. Of State
tscott

Article VI

The name and address of the incorporator is:

MICHAEL REA
734 EDGEWILD CT

ORANGE CITY, FL 32763

Electronic Signature of Incorporator: MICHAEL REA

I am the incorporator submitting these Articles of Incorporation and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of this corporation and every year thereafter to maintain "active" status.

Article VII

The initial officer(s) and/or director(s) of the corporation is/are:

Title: P
MICHAEL S REA
734 EDGEWILD CT
ORANGE CITY, FL. 32763

Title: VP
JOHN DICKINSON
201 S. FLORIDA AVE
DELAND, FL. 32720

Title: VP
KIMBERLY K REA
734 EDGEWILD CT
ORANGE CITY, FL. 32763

Article VIII

The effective date for this corporation shall be:

03/20/2014

Game Changer Sports Academy

Current List of Board Members

Michael Rea (President)

734 Edgewild Ct.

Orange City, Fl 32763

John Dickinson (Vice President)

Post Office Box 1626

DeLand, FL, 32721

Kimberly Rea (Vice President)

734 Edgewild Ct.

Orange City, Fl 32763

Brian Soukup

1530 Toluca Ct.

Deltona, Fl 32738

Thomas King

1781 Converse Ct.

Deltona, Fl 32738

Michael Soukup

Deltona, Fl 32738

GAME CHANGER SPORTS ACADEMY SCHEDULE

Fall Academy: September 13 – October 25

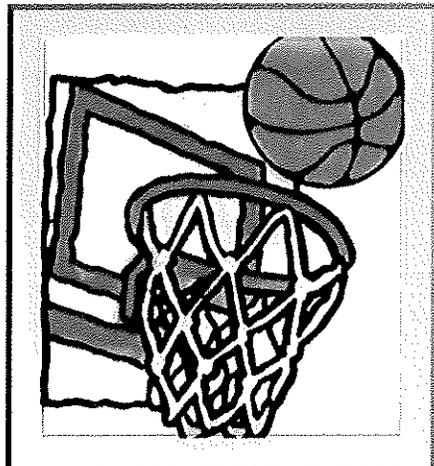
Winter Academy: January 10 – February 28

Spring Academy: March 21 – May 9

Summer Academy: June 13 -- August 1

Fall Academy: September 12 -- October 24

If possible, we would also like 1 night during the week to run an additional basketball clinic.



Game Changer Sports Academy

Game Changer Sports Academy (GCSA) is a not for profit corporation that provides year-round recreational and competitive basketball leagues and training for boys and girls ages 5 to 18.

We at GCSA understand the incredible value of athletics when it comes to the long term development of our youth. Clinical studies also have shown that sports and recreation programs can help youth establish lifelong, healthy, physical activity patterns. Regular physical activity can ward off life-threatening diseases; reduce feelings of depression and anxiety; help control weight and obesity; and build and maintain healthy bones, muscles, and joints, according to the President's Council on Physical Fitness.

The children of Deltona's core must have the opportunity for a successful start in education and sport regardless of age, gender, race, income, family composition or community. Due to this significant disparity, GCSA was created to provide basketball training programs necessary for Deltona children to have equal opportunity for organized sports.

Here are some of our keys to success:

- Minimize field maintenance and facility costs with the schools and city parks systems.
- Utilizing the school system to promote the sports program and recruiting team coaches.
- Recruiting more corporate support for the sports program.
- Maintaining the City Commission's support to provide scholarship funds for needy youth who have the desire to participate in our programs.
- Maintaining a high approval rate with the area's parents and youth.

In closing, we trust that through our programs, we will be able to build a stronger, healthier community along with developing children both physically and mentally.

GAME CHANGER SPORTS ACADEMY (GCSA), INC.
FACILITY USE AGREEMENT

THIS AGREEMENT made and entered into this ____ day of September, 2014, by and between the CITY OF DELTONA, a Florida municipal corporation, with its principal place of business located at 2345 Providence Boulevard, Deltona, Florida, hereinafter referred to as “City”, and Game Changer Sports Academy (GCSA), Inc., a Florida non-profit organization, with its principal place of business located at 734 Edgewild Court, Orange City, Florida 32763, hereinafter referred to as “User”.

WHEREAS, User desires the non-exclusive use of the City-owned Wes Crile Gymnasium facility located at 1537 Norbert Terrace, Deltona, Florida, (hereinafter referred to as the “Facility”) for conducting youth Basketball practice and games; and

WHEREAS, the City is desirous of increasing the opportunities for recreational programs and activities for the community; and

WHEREAS, the City finds and determines that the programs, activities, and services rendered to the community by User and the land dedicated and provided by the City does serve a public purpose by providing a location for User to conduct youth Basketball practice and games; and

WHEREAS, the City has and, by these presents, does find and determine that it would be in the best interest of the public health, safety, and welfare to enter into this Agreement for facility use, and

WHEREAS, the Commission of the City of Deltona has approved award of this agreement on this ____ day of September, 2014.

NOW, THEREFORE, the parties in consideration of the mutual covenants, terms and provisions hereof, and other good and valuable consideration, the receipt and sufficiency all of which is hereby acknowledged, do hereby desire and agree to be bound by the following terms and conditions of this agreement as follows:

Article 1. Recitals

The foregoing recitals are true and correct and incorporated herein by reference.

Article 2. Use of Facilities

2.1 The City does hereby agree to allow User the non-exclusive use of Wes Crile Gymnasium provided that the use of said facility conforms to the covenants and conditions herein contained. Said usage for the facility shall be Monday’s from 6:00 p.m. - 9:00 p.m. and Saturday’s from 12:00 p.m. -

8:00 p.m. Said usage shall be consistent with the schedule provided by User and approved by the Parks and Recreation Director or his designee (hereinafter referred to as the “Director”).

2.2 Use of the facilities during any other time by User shall require the written approval of the Director. User shall submit a typed list of dates and activities to be conducted at the facilities fifteen (15) days prior to commencing the activities which shall be subject to approval or denial by the Director. City shall have the right to use the facilities anytime the facilities are not in actual use by User.

Article 3. Term

3.1 This Facility Use Agreement (hereinafter referred to as the “Agreement”) shall remain in effect for a period of one (1) year from the date made and entered by the parties.

3.2 Written notice must be provided to the City by User of its intent to renew this Agreement on the City-approved Facility Use Renewal Form a minimum of sixty (60) days prior to the expiration of the term of this Agreement.

3.3 Upon receipt of a timely Facility Use Renewal Form, this Agreement may be renewed for one additional year, and may be renewed yearly up to a total of three additional years, upon written acceptance by the City prior to each successive renewal.

Article 4. Payment

4.1 That User shall pay the City \$5.00 per participant who is registered and assigned to a team yearly beginning May 1, 2015, payable on or before the end of the first month of the season being played.

4.2 If payment is not made in accordance with this Agreement, a Notice of Cancellation will be issued to the organization.

4.3 All payments shall be sent to the City of Deltona, Accounts Receivable, 2345 Providence Blvd., Deltona, FL 32725.

Article 5. Obligations of City

The City shall be responsible for:

- A. Payment of all utilities at the facilities, subject to the City’s right to issue guidelines concerning the usage of all lighted areas; and
- B. Providing adequate trash receptacles at the facilities; and

- C. Coordinating sanctioned activities in an effort to minimize conflict with User's use of the facilities; and
- D. Providing infield materials (clay and sand mixture) if applicable; and
- E. Providing one training annually on proper field and turf maintenance if applicable;; and
- F. Providing turf maintenance, including mowing as needed to ball fields and herbicide, pesticide and fertilizer applications if applicable; and
- G. Providing on-going facility preventive maintenance if applicable; and
- H. Ensuring buildings, fencing, and restrooms are monitored for cleanliness and safety if applicable;

Article 6. Obligations of User

User shall be responsible for:

- A. Coordinating User's activities and providing a representative to act as a liaison to the City for the term of the Agreement; and
- B. Providing adequate personnel, staffing, or volunteers to insure the proper use of the facilities and to provide for the adequate security, safety, and emergency medical needs of all its members, guests, visitors, and participants; and
- C. Maintaining the facilities in a clean and sanitary condition, free of paper and debris, during and after each use including the emptying of all trash containers into dumpsters provided by the City, and providing all necessary equipment to maintain or repair all protective screening, netting, fencing and the pitching machine in the batting cage; and cleaning of facility restrooms during the season daily and all other facility amenities regularly to monitor cleanliness, safety and maintenance concerns; and
- D. Submitting a typed list of names, addresses, phone numbers, qualifications, and certifications of all board members, coaches, and assistants and providing monthly updates of any changes to the list; and
- E. Providing the City with a written statement indicating that every staff member, employee, volunteer or contracted personnel has passed a Level I background check and submitting a copy of the results of each screening; and
- F. Providing any and all necessary equipment required for use of the facilities; and

- G. Repairing any damage to the facility resulting from User's use, even if the City determines that the facility is useable, without regard to the extent of damage, as solely determined by the Director; and
- H. Reporting any known or discovered damage or vandalism to the Director immediately by submitting a written description of the damage or vandalism and a brief statement of the incident, discovery, or cause within 24 hours, to the Director, using the City incident/accident report form; and
- I. Reporting all accidents or injuries occurring at the facilities to any staff, visitor, participant, or other person, to the City immediately by telephone and by submitting a written report of the accident or injury using the City incident/accident report form within 24 hours; and
- J. Refraining from any alteration, advertising, or signs on any fence, building, right-of-way, road, or facilities without the Director's prior written approval, including the distribution or placement of any advertisement related to the use of City facilities; and
- K. Taking any and all reasonable and prudent steps necessary to be informed of and abide by all ordinances, rules, policies, laws and regulations of the City, State, and Federal government at all times; and
- L. Agreeing to always be in full compliance of all laws, rules, policies, and regulations affecting or applicable to User and its activities and programs; and
- M. Obtaining written permission from the Director prior to the purchase or lease of any equipment to be installed for use at the facilities; and
- N. Obtaining written permission prior to conducting any business, activity or program not approved by the Director in writing; and
- O. Refraining any other person or entity from conducting any type of business or enterprise at the facilities without prior written approval from the Director; and
- P. Allowing the City access to inspect the facilities at any time; and
- Q. Refraining from conducting any practice sessions, practice games, or clinics not expressly authorized under this Agreement without the express written consent of the Director; and
- R. Providing the City with a copy of User rules, regulations, charter, guidelines, and organizational chart, along with rules dictating the conduct of the games, and those used by the coaches and referees, if applicable; and
- S. Retain daily access to the facility and field by the public unless authorized by the Director or when fields are prepared for games; and

- T. Being solely responsible for all losses or damages suffered by User to its operation, equipment and property at the facilities.

Article 7. Insurance

7.1 User, at its own cost and expense, shall have in force, during the term of this Agreement, insurance from an insurance company licensed in the State of Florida and rated “Class A” or better by A. M. Best or some other form of assurance approved by the City’s Risk Manager. User shall not occupy the facility until City has received an acceptable certificate or certificates of insurance evidencing the required insurance, which is as follows:

7.2 Commercial General Liability Insurance insuring User against liability arising from its occupancy, use, or operation of the City’s facilities necessary or incidental thereto. **User shall list and endorse the City as an additional insured under the general liability policy.** Except as otherwise agreed in writing by the City, the insurance shall be provided on a form no more restrictive than the Standard Commercial General Liability Form (ISO FORM CG 00 01) without any restrictive endorsements, and the City shall be included as an “Additional Insured” on a form no more restrictive than Form CG 20 10, Additional Insured-Owners, Lessees, or Contractors (Form B). The minimum limits (inclusive of amounts by an umbrella or excess policy) shall be available at all times and shall be:

\$1,000,000 General Aggregate
 \$1,000,000 Products Liability/Completed Operation Aggregate
 \$1,000,000 Personal and Advertising Injury
 \$1,000,000 Each Occurrence

The General Liability policy is to contain or be endorsed to name the City, its officers, officials and employees as additional insureds as respects to the liability arising out of the activities performed under this Agreement. Such coverage shall be primary to the extent of Users negligent acts or omissions or willful misconduct, and shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. In addition, a waiver of subrogation by the commercial liability insurer shall be provided that lists or names the additional insured as subject to the waiver.

7.3 Worker’s Compensation Insurance, as filed for use in Florida by the National Council on Compensation Insurance, without restrictive endorsements. In addition to coverage for the Florida Workers’ Compensation Act, where appropriate, coverage is to be included for the Federal Employer’s Liability Act and any other applicable Federal and State law. The minimum amount provided by an umbrella or excess policy shall be:

Part One-“Statutory” requirements

Part Two-\$500,000 Each Accident
 \$500,000 Disease-Policy Limit
 \$500,000 Disease Each Employee

7.4 Automobile Liability Insurance on a form no more restrictive than that provided by Section II (Liability Coverage) of the Standard Business Auto Policy (ISO Form CA 00 01) and shall cover User owned, non-owned, and hired autos used in any manner or incidental to the use of the facility. The minimum limits (inclusive of any amounts provided by an umbrella or excess policy) shall be \$1,000,000 per each Occurrence-Bodily Injury and Property Damage Combined.

7.5 Property Insurance. User and the City shall each be responsible for maintaining their own property and casualty insurance and policy endorsement, regardless of whether User purchases property insurance, and whether the City is wholly, partially or otherwise at fault, or the City is in any way responsible or liable for causation of accidents, injuries or death, in whole or in part, and User hereby expressly waives, releases, and holds the City harmless relative to any cause of action or right of recovery which User may have hereafter against the City for any loss arising out of damage to User's property, whether covered by insurance or not.

7.6 Evidence of Insurance. The required insurance shall be evidenced by a certificate of insurance which must be submitted to the City prior to the effective date of this Agreement. A copy of all notices, from all insurance companies providing coverage, directly or indirectly related to the use of the facilities in this Agreement, must be provided to the City within five (5) days of receipt. All insurance companies shall be instructed to provide thirty (30) days notice of any cancellation to the City. Failure to comply with this section shall render this Agreement null and void. User shall provide the City with renewal or replacement evidence of insurance at least ten (10) days prior to expiration or termination of such insurance.

Article 8. Special Terms and Conditions

8.1 Termination. The parties may rescind this Facility Use Agreement at any time, for any reason, upon thirty (30) days written notice. Cancellation of this Agreement by User is subject to a reasonable fee for administrative costs by the City.

8.2 Default. Any violation of a provision or term of this Agreement will be considered a default of this Agreement, and if such default is not cured within five (5) days from the date of notice of such default, or if the default cannot be cured, then this Agreement shall terminate and be no longer in effect.

8.3 Dispute Resolution. This Agreement is made under, and in all respects shall be interpreted, construed, enforced, and governed by and in accordance with, the laws of the State of Florida. Venue for any legal action resulting from this Agreement shall lie solely in Volusia County, Florida.

8.4 Indemnification. User agrees to, and will at all times, indemnify, defend save and hold harmless the City, its officers, agents, and employees, from any and all liability, claims, demands, disputes, damages, costs, attorney's fees, and expenses (including prior to trial, through trial, and to and on appeal), as a result, directly or indirectly, of the use by User and/or its members, guests, visitors, spectators, players, programs and activities.

8.5 Non-Exclusive Agreement. Notwithstanding anything herein that may appear to the contrary, it is expressly understood and agreed upon by the parties that all rights granted under this Agreement are non-exclusive and the City reserves the right to grant similar privileges herein to others at any time. The City shall at all times be allowed to gain access to or use of all facilities. User agrees to provide a copy of keys to all locks used by User to restrict access to any part of a facility.

8.6 Sale of Prohibited Items. User is prohibited from the sale of alcoholic beverages, sexual content materials, and any tobacco related items. No type of advertisement, merchandise or signage related to alcoholic beverages, sexual content materials, or tobacco will be permitted.

8.7 Advertising. All on-site signs, informational kiosks, brochures, promotions or advertisements related to User shall be approved by the Director. User agrees to refrain from any commercial advertising without the Director's written approval.

Article 9. General Conditions

9.1 This Agreement shall be governed by the laws of the State of Florida, as well as applicable County of Volusia and City of Deltona Code of Ordinances and it shall become effective immediately upon execution by both parties hereto.

9.2 Any previously existing oral or written agreements between the parties shall be terminated as of the date of this Agreement and shall be deemed to be hereafter null and void and of no further force and effect. The entire agreement between the parties is incorporated herein. In addition to the terms of this Agreement, both parties agree to be bound by the policies and procedures regarding facility use, as adopted or amended by the City Commission.

9.3 This Agreement may not be assigned or transferred in any manner by User and any such assignment is expressly prohibited. Any attempt to assign this Agreement shall render this Agreement null and void.

9.4 No modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

9.5 The failure of any party hereto at any time to enforce any of the provisions of this Agreement will in no way constitute or be construed as a waiver of such provision or of any other provision

hereof, nor in any way affect the validity of, or the right thereafter to enforce, each and every provision of this Agreement.

9.6 Under no circumstances does the City endorse, promote, condone, certify, vouch, or recommend, nor is it responsible for any of the contents, actions, agreements, activities, or services associated with User or its activities and programs.

9.7 In the event that the performance of this Agreement by the parties is prevented or interrupted as a consequence of any cause beyond the control of the City or User, including but not limited to acts of God or of a public enemy, national or local State of Emergency, allocation of or other governmental restriction upon the use or availability of labor or materials, rationing, civil insurrection, riot, embargo, flood, tidal wave, fire, explosion, bomb detonation, nuclear fallout, wind storm, hurricane, earthquake, or other casualty, disaster, or catastrophe, any governmental rules, acts, laws, ordinances, resolutions, restrictions, regulations, requirements, or orders, acts or actions of any government or public or governmental authority or commission, board, agency, agent, official or officer, the enactment of any statute, law, ordinance, resolution, regulation, rule, ruling, order, decree, judgment, restraining order or injunction of any court, said parties shall not be liable for such nonperformance.

9.8 The headings used throughout this Agreement are for convenience of reference only and have no significance in the interpretation of the body of this Agreement.

Article 10. Severability and Notice

10.1 The invalidity or unenforceability of any particular provision of this Agreement shall not affect the other provisions hereof, and this Agreement shall be construed in all respects as if such invalid or unenforceable provisions were omitted.

10.2 Wherever provision is made in this Agreement for the giving, service or delivery of any notice, statement or other instrument, such notice shall be in writing and shall be deemed to have been duly given, served and delivered, if delivered by hand or mailed by United States mail or sent by facsimile, addressed as follows:

If to User:
 {NAME}
 {TITLE}
 {COMPANY NAME}
 {ADDRESS}
 {CITY, STATE, ZIP}

If to City:
 Steve Moore
 Parks & Recreation Director
 City of Deltona
 2345 Providence Blvd.
 Deltona, Florida 32725

And

Joyce Raftery
 City Clerk
 2345 Providence Boulevard
 Deltona, FL 32725-1806

Each party hereto may change its mailing address by giving to the other party hereto, by hand delivery or United States mail, notice of election to change such address.

Article 11. Scope of Agreement

11.1 This Agreement is intended by the parties hereto to be the final expression of their Agreement, and it constitutes the full and entire understanding between the parties with respect to the subject hereof, notwithstanding any representations, statements, or agreements to the contrary heretofore made.

11.2 This Agreement consists of the following:

This Agreement
Authorization to Occupy
Facility Use Application
Addendum, if any

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement for the purposes stated herein.

Signed, sealed and delivered in the presence of Witnesses:

By: _____

By: _____

USER:

By: _____

Its: _____

CITY OF DELTONA:

By: _____

DALE A. BAKER, Acting City Manager

ATTEST:

Date: _____

JOYCE RAFTERY, City Clerk

Mailing Address:
2345 Providence Boulevard
Deltona, FL 32725-1806

Approved as to form and legality for use and reliance of City of Deltona only:

GRETCHEN R.H. VOSE
City Attorney



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 8 - A
SUBJECT: Public Hearing - Resolution No. 2014-16, Adopting the Tentative Millage Rate for FY 2014/2015.

LOCATION:

City-wide.

BACKGROUND:

State law requires that the City hold a public hearing on the tentative budget and proposed millage rate between 65 and 80 days from the date (July 1, 2014) of certification of taxable value provided by the Property Appraiser. This hearing was publicized via the TRIM Notice mailed by the County Property Appraiser on or about August 15, 2014.

At this hearing, the City will:

- First discuss the percentage increase or decrease in millage over the rolled-back rate. The proposed millage rate reflects a 7.6% increase from the rolled-back rate.
- Adopt a tentative millage (Resolution No. 2014-16) and budget (Resolution No. 2014-17) by separate vote and in that order as required by State law.
- If the tentatively adopted millage rate exceeds the proposed rate presented in the TRIM Notice (7.9900), each taxpayer within the City must be notified of the increase by first class mail.
- Prior to adopting the millage-levy resolution, the name of the taxing authority (City of Deltona, Florida), the rolled-back rate (7.4250), and the percentage increase or decrease compared to the rolled-back rate (7.6%), and the millage rate to be levied (7.9900) must be publicly announced. The tentative millage rate and budget will be used to advertise the final hearing scheduled for September 15, 2014.

ORIGINATING DEPARTMENT:

Finance

SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	Acting City Manager, City Attorney
STAFF RECOMMENDATION PRESENTED BY:	Robert Clinger, Finance Director - to adopt the tentative millage rate of 7.9900 for FY 2014/2015.
POTENTIAL MOTION:	“I move to approve Resolution No. 2014-16, adopting the tentative millage rate of 7.9900 mills for the levy of ad valorem taxes for fiscal year 2014/2015.”
AGENDA ITEM APPROVED BY:	<hr/> Dale Baker, Acting City Manager
ATTACHMENTS:	<ul style="list-style-type: none"> • Resolution No. 2014-16

RESOLUTION NO. 2014-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA; ADOPTING A TENTATIVE MILLAGE RATE FOR THE 2014-2015 FISCAL YEAR; COMPARING TENTATIVE MILLAGE RATE WITH THE ROLLED-BACK RATE; ESTABLISHING A DATE, TIME, AND PLACE AT WHICH A PUBLIC HEARING WILL BE HELD TO ADOPT A FINAL MILLAGE RATE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 21, 2014, City Commission adopted a proposed millage rate, computed a rolled-back rate, and established a date, time, and place for a public hearing to consider the proposed millage rate and the tentative budget for the 2014-2015 fiscal year; and

WHEREAS, the City Manager has delivered a recommended budget for the 2014-2015 fiscal year; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, as follows:

Section 1. A tentative millage rate of 7.9900 mills is hereby adopted for the 2014-2015 fiscal year.

Section 2. The tentative millage rate of 7.9900 mills is 7.6 percent more than the rolled-back rate of 7.4250 and represents a 7.6 percent increase in property taxes.

Section 3. A public hearing will be held on September 15, 2014 at 6:30 p.m., or as soon thereafter as may be heard, at Deltona City Hall, 2345 Providence Boulevard, Deltona, Florida, to adopt a final millage rate.

Section 4. This resolution shall take effect immediately upon its final adoption by the City Commission.

City of Deltona, Florida
Resolution No. 2014-16
Page 2 of 2

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA, THIS _____ DAY OF _____, 2014.**

BY: _____
JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

JOYCE RAFTERY, City Clerk

Approved as to form and legality for use
and reliance of the City of Deltona, Florida:

GRETCHEN R. H. VOSE, City Attorney



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 8 - B
SUBJECT: Public Hearing - Resolution No. 2014-17, Adopting the Tentative Annual Budget for FY 2014/2015.

LOCATION:

City-wide.

BACKGROUND:

State law requires that the City hold a public hearing on the tentative budget and proposed millage rate between 65 and 80 days from the date (July 1, 2014) of certification of taxable value provided by the Property Appraiser. This hearing was publicized via the TRIM Notice mailed by the County Property Appraiser on or about August 15, 2014.

At this hearing, the City will:

- Amend the tentative budget and re-compute its proposed millage rate, and publicly announce the percent, if any, by which the recomputed proposed millage exceeds the rolled-back rate.
- Adopt a tentative millage (Resolution No. 2014-16) and budget (Resolution No. 2014-17), in that order.
- If the tentatively adopted millage rate exceeds the proposed rate presented in the TRIM Notice (7.9900), each taxpayer within the City must be notified of the increase by first class mail.
- The adopted tentative millage and budget will be used to advertise the final hearing scheduled for September 15, 2014.

ORIGINATING DEPARTMENT:

Finance

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

Acting City Manager, Acting Deputy City Manager, City Attorney

**STAFF
RECOMMENDATION
PRESENTED BY:**

Robert Clinger, Finance Director - to adopt the tentative annual budget for FY 2014/2015.

**POTENTIAL
MOTION:**

“I move to approve Resolution No. 2014-17, adopting a tentative budget for fiscal year 2014/2015.”

**AGENDA ITEM
APPROVED BY:**

Dale Baker, Acting City Manager

ATTACHMENTS:

- Budget Resolution

RESOLUTION NO. 2014-17**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA; ADOPTING A TENTATIVE BUDGET FOR THE 2014-2015 FISCAL YEAR; ESTABLISHING A DATE, TIME, AND PLACE AT WHICH A PUBLIC HEARING WILL BE HELD TO ADOPT A FINAL BUDGET; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on July 21, 2014, City Commission adopted a proposed millage rate, computed a rolled-back rate, and established a date, time, and place for a public hearing to consider the proposed millage rate and the tentative budget for the 2014-2015 fiscal year; and

WHEREAS, the City Manager has delivered a recommended budget for the 2014-2015 fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, as follows:

Section 1. The City Commission hereby adopts the tentative General Fund, Special Revenue Funds, Enterprise Fund, and Capital Project Funds budgets, which are attached hereto and by reference made a part hereof, of the City of Deltona, Florida, for the fiscal year beginning October 1, 2014, and ending September 30, 2015, said budgets showing combined sources and uses of \$142,985,242.

Section 2. A public hearing will be held on September 15, 2014 at 6:30 p.m., or as soon thereafter as may be heard, at Deltona City Hall, 2345 Providence Boulevard, Deltona, Florida, to adopt a final budget.

Section 3. This resolution shall take effect immediately upon its final adoption by the City Commission.

City of Deltona, Florida
Resolution No. 2014-17
Page 2 of 2

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA, THIS _____ DAY OF _____, 2014.**

BY: _____
JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

JOYCE RAFTERY, City Clerk

Approved as to form and legality for use
and reliance of the City of Deltona, Florida:

GRETCHEN R. H. VOSE, City Attorney

Deltona Water 5 Year Capital Plan

	Estimated Actual	BUDGET	Projected	Projected	Projected	Projected	Projected
	FY 9/30/14	FY 14 / 15	FY 15 / 16	FY 16 / 17	FY 17 / 18	FY 18 / 19	FY 19 / 20
	1-Oct	1-Oct	1-Oct	1-Oct	1-Oct	1-Oct	30-Sep
Cash - Start of Year	\$ 7,044,052	\$ 7,114,677	\$ 16,312,877	\$ 13,560,988	\$ 11,002,170	\$ 8,886,602	\$ 8,368,034
Operating Revenues	16,747,919	\$ 17,529,700	18,354,000	19,217,000	20,120,000	21,066,000	22,056,000
<i>Increase In Operating Revenue vs. Prior Year</i>		4.7%	4.7%	4.7%	4.7%	4.7%	4.7%
Connection Fees	261,760	\$ 261,800	270,000	278,000	286,000	295,000	304,000
Impact Fees Revenues	97,498	\$ 97,500	90,000	90,000	90,000	90,000	90,000
Interest	51,000	\$ 60,000	67,000	61,000	50,000	43,000	45,000
Grants	551,339	\$ 3,440,120	495,000	569,250	627,000	627,000	-
Loan Proceeds - Other	-	\$ -	-	-	-	-	-
SRF Loan Proceeds	942,133	\$ 8,115,492	\$ 17,537,950	1,000,000	-	-	-
Short term borrowing/project deferrals: \$17,000,000	-	\$ 17,000,000	-	-	-	-	-
Personal Services Costs	(3,800,000)	\$ (4,480,600)	(4,615,000)	(4,753,000)	(4,896,000)	(5,043,000)	(5,194,000)
Operating Expenses	(3,877,900)	\$ (4,894,600)	(5,090,000)	(5,294,000)	(5,506,000)	(5,726,000)	(5,955,000)
Capital (budget)	(15,899,412)	\$ (31,476,670)	(4,928,321)	(4,338,500)	(4,296,000)	(3,286,000)	(1,445,000)
Capital (cash flow adjustment/new financing)		\$ -	-	-	-	-	-
Debt Service (2013 Bonds)							
Principal	-	\$ (1,290,000)	(1,540,000)	(1,605,000)	(1,885,000)	(1,955,000)	(2,035,000)
Interest	(2,177,071)	\$ (3,887,000)	(3,843,000)	(3,772,000)	(3,694,000)	(3,618,000)	(3,528,000)
Debt Service (SRF)							
Principal & Interest	-	-	(1,811,568)	(1,811,568)	(1,811,568)	(1,811,568)	(1,811,568)
Additional Bond: Principal & Interest		(700,000)	(1,200,000)	(1,200,000)	(1,200,000)	(1,200,000)	(1,200,000)
Cash - End of Year:							
Bond Sinking Fund - 2014 Bond Issue	3,239,616	\$ 3,476,716	3,510,916	3,750,791	3,783,091	3,823,991	3,873,116
SRF Sinking Fund	-	301,928	301,928	301,928	301,928	301,928	301,928
Bond Sinking Fund - 2015 Bond Issue	-	744,000	744,000	744,000	744,000	744,000	744,000
Renewal & Replacement Account	876,000	\$ 918,000	961,000	1,006,000	1,053,000	1,103,000	1,155,000
Customer Deposits	1,760,000	\$ 1,842,000	1,929,000	2,019,000	2,114,000	2,214,000	2,318,000
Total Restricted Cash	5,875,616	\$ 7,282,644	7,446,844	7,821,719	7,996,019	8,186,919	8,392,044
Unrestricted Cash	1,239,061	\$ 9,030,233	6,114,144	3,180,451	890,583	181,115	1,302,422
Total Cash - End of Year	\$ 7,114,677	\$ 16,312,877	\$ 13,560,988	\$ 11,002,170	\$ 8,886,602	\$ 8,368,034	\$ 9,694,466

Project Title	Cumulative Thru 09/30/13	Projected \$\$ FY 13 / 14	FY 14 / 15 Capital Budget	FY 15 / 16 Capital Planned	FY 16 / 17 Capital Planned	FY 17 / 18 Capital Planned	FY 18 / 19 Capital Planned	FY 19 / 20 Capital Planned
Deltona Water Utility								
Utility								
Capital Improvement Projects								
Alternative Water Supply (West Volusia AWS)	263,255	146,000	200,000	150,000	150,000	150,000	150,000	150,000
Fisher WWTP - Clarifier	-	-	-	-	-	-	-	-
Hydrogeological Services (wasn't this moved to operating???)	237,108	128,000	75,000	150,000	150,000	150,000	150,000	150,000
LFA Well (Brackish Deep Well)	-	-	550,000	-	-	-	-	-
Magdalena Odor Control	17,000	137,055	-	-	-	-	-	-
Magdalena Well	-	-	-	-	-	350,000	-	-
Reclaimed Water System Interconnect	-	-	1,106,000	-	-	-	-	-
Water CUP Compliance	418,436	36,200	20,000	-	-	-	-	-
WTP Treatment Improvements Group A	-	1,098,563	1,803,288	-	-	-	-	-
WTP Treatment Improvements Group B	-	930,848	2,107,846	-	-	-	-	-
Expansion Projects								
11th Ave. Roadway to New WWTP	2,305,961	(1,044)	-	-	-	-	-	-
Alexander GST & Pump Station (Golf Course)	-	100,540	1,800,000	-	-	-	-	-
Doyle Road (415-Courtland) 16" WM Improvements	82,400	977,000	-	-	-	-	-	-
Doyle Road Reclaimed Main	-	2,029,520	2,283,528	-	-	-	-	-
Eastern WWTP	3,646,526	8,225,244	16,012,057	1,000,000	-	-	-	-
E. Normandy (Providence-Deltona Blvd) 16" WM Improvements	-	-	-	-	-	-	-	-
E. Normandy (Saxon-Providence) 16" WM Improvements (TTHM)	-	-	-	-	-	-	-	-
N. Normandy (Saxon-Deltona Blvd) 16" WM Improvements	-	-	-	100,000	650,000	-	-	-
Providence (Normandy-Doyle) 16" WM Improvements	-	-	-	-	-	-	-	-
Ft. Smith - Section 4B	-	-	375,000	-	-	-	-	-
Howland Blvd. Utility Relocation, Ph. 3 - City	31,020	11,000	2,304,000	500,000	-	-	-	-
Howland Blvd. Utility Relocation, Ph. 3 - Grant	-	-	196,000	-	-	-	-	-
Lake Monroe Reclaim Withdrawal Phase 4A	-	-	250,000	1,500,000	1,725,000	-	-	-
Lake Monroe Reclaim Withdrawal Phase 4B	-	-	-	-	350,000	1,900,000	1,900,000	-
Master Lift Station - Doyle Road	44,766	23,341	606,306	-	-	-	-	-
Normandy Section B Utility Relocates	419,377	273,854	-	-	-	-	-	-
Reclaimed Water Sys - Soccer Field	-	-	-	-	50,000	220,000	-	-
Reclaimed Water Sys - Coventry	-	-	-	-	50,000	250,000	-	-
Reclaimed Water Sys - Live Oak	-	-	-	-	50,000	250,000	-	-
RIB Site @ New WWTP 122 Acre	149,769	655,525	391,945	-	-	-	-	-
EWTP - LS/FM Improvements	-	100,000	200,000	-	-	-	-	-
Saxon / Providence Intersection Utility Relocates	10,080	12,823	-	289,821	-	-	-	-
Renewal & Replacement Projects								

Project Title	Cumulative Thru 09/30/13	Projected \$\$ FY 13 / 14	FY 14 / 15 Capital Budget	FY 15 / 16 Capital Planned	FY 16 / 17 Capital Planned	FY 17 / 18 Capital Planned	FY 18 / 19 Capital Planned	FY 19 / 20 Capital Planned
Auma Motor Valves	4,980	-	-	-	-	-	-	-
Chemical Feed Pumps	33,872	-	-	25,000	25,000	25,000	25,000	25,000
CL2 Tanks	25,000	24,915	25,000	25,000	25,000	25,000	25,000	25,000
Fisher WWTP Screw Press	650,913	44,176	-	-	-	-	-	-
GST Aerators	204,393	3,758	-	-	-	-	-	-
Lift Station Panels	15,996	27,400	-	20,000	20,000	20,000	20,000	20,000
Lift Station Rehabs	315,141	75,000	75,000	75,000	75,000	75,000	75,000	75,000
Main Electrical Panel @ Fisher Road	10,875	57,440	-	-	-	-	-	-
Plant 11 Control Panel and PLC Upgrade	-	45,000	-	-	-	-	-	-
RAS Pumps for Clarifiers - 3	23,650	15,659	-	-	-	-	-	-
Rehab Sewer Collection System	1,333,050	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Relocation and Upgrade of Fisher CL2 Tanks	-	-	-	-	-	-	-	-
Retirement Meters	99,827	60,000	60,000	60,000	60,000	60,000	60,000	60,000
Whitewood/Wellington Rehab			112,500					
Water Main Replacements	1,363,848	57,451	250,000	332,500	332,500	200,000	200,000	200,000
Water Meters & Related Materials	95,519	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Well Rehabs	538,018	100,000	100,000	100,000	100,000	100,000	150,000	150,000
mmunications & Equipment								
Bypass Pump	-	-	45,000	-	-	-	-	-
Catepillar Broom attachment	-	-	9,000	-	-	-	-	-
Contract Software	-	2,788	-	-	-	-	-	-
Deltona Water Security Features	-	-	130,000	-	-	-	-	-
EQ Tank Air Jammer	-	-	6,000	-	-	-	-	-
Ford F-250 Trucks (2) - Waste Water Operations			25,000					
Ford F-250 Trucks (2) - EWWTP			25,000					
Ford F-250 Trucks (2) - Field Operations	-	56,016	25,000	-	-	-	-	-
Ford F-250 Trucks (2) - Water Operations	-	49,462	-	-	-	-	-	-
Freightliner Sprinter Cargo Van	-	49,741	-	-	-	-	-	-
Hand Held Remote Meter Readers	-	15,666	-	-	-	-	-	-
Infrastructure Switches, Router & Peripherals	-	-	10,000	5,000	10,000	5,000	10,000	10,000
IP Phone Refresh	-	-	5,000	1,000	1,000	1,000	1,000	5,000
Itemage - Hardware	-	-	7,500	-	-	-	-	-
Itemage - Software	-	-	22,600	-	-	-	-	-
Lake Monitoring Equipment Upgrade	16,815	40,000	-	-	-	-	-	-
New / Replacement PC's - Tablets - Laptops	-	5,330	16,600	10,000	5,000	5,000	5,000	5,000
Pipe Cutter	-	-	17,000	-	-	-	-	-
Radio Conversion TBA - Next Five years	-	-	-	-	-	-	-	-
Replacement UPS's	-	7,890	5,000	5,000	-	5,000	5,000	-

Project Title	Cumulative Thru 09/30/13	Projected \$\$ FY 13 / 14	FY 14 / 15 Capital Budget	FY 15 / 16 Capital Planned	FY 16 / 17 Capital Planned	FY 17 / 18 Capital Planned	FY 18 / 19 Capital Planned	FY 19 / 20 Capital Planned
RTU Cabinets & Zetron Panels	30,296	13,705	-					
Scanner		2,436	-					
Security Cameras	67,418	32,000	-					
Server Blade Replacements	32,692	-	10,000	20,000	10,000	5,000	10,000	10,000
Shoring System	-	-	9,500	-	-	-	-	-
Storage (SAN) Upgrade Replacements	19,000	-	-	60,000	-	-	-	60,000
UB-CIS - Munis Upgrade	-	-	55,000	-	-	-	-	-
Upgrade Call Center Phone System	213,459	-	-	-	-	-	-	-
Valve Maintenance Machine-Trailer Mounted		54,965	-	-	-	-	-	-
Vehicle Replacements & Misc. Equipment	1,553,252	-	-	350,000	350,000	350,000	350,000	350,000
VFD Well 22	-	24,147	-	-	-	-	-	-
Virtualization Solution	-	-	-	-	-	-	-	-
Cash flow adjustment (see note)	-	-	-	-	-	-	-	-
Deltona Water Utility	14,273,712	15,899,412	31,476,670	4,928,321	4,338,500	4,296,000	3,286,000	1,445,000
LFA Well (Brackish Well) State Grant			550,000					
Lake Monroe Reclaim Phase 4A - Grant Funding @ 33%			-	495,000	569,250	-	-	-
Lake Monroe Reclaim Phase 4B - Grant Funding @ 33%			-	-	-	627,000	627,000	-
Doyle Road Reclaimed Main - Grant Funding @ 40 %		311,210	1,714,249	-	-	-	-	-
Howland Blvd. Utility Relocation, Ph. 3 - Grant Funding @ 40%			196,000	-	-	-	-	-
Alexander GST & Pump Station - Grant Funding @ 40%		-	720,000	-	-	-	-	-
General Appropriations Act funding for EWWTP (State Santiago)		<u>240,129</u>	<u>259,871</u>	-	-	-	-	-
Grants funding - total		551,339	3,440,120	495,000	569,250	627,000	627,000	-



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale A. Baker, Acting City Manager **AGENDA ITEM:** 8 - C
SUBJECT: Public Hearing - Ordinance No. 17-2014, Halifax Crossings Business Planned Unit Development, at first reading and to schedule second and final reading for September 15, 2014.

LOCATION:

The subject property is generally located at the northeast quadrant of the SR 472/Interstate 4 interchange, along the north side of Howland Boulevard, and within the Deltona Activity Center.

BACKGROUND:

The City recently processed a series of antiquated plats (Davis Park and Yourlando Farms) and right-of-way vacations to allow for this rezoning action. The vacation events are not reflected as part of the final legal description of the property and the rights-of-way and related lot patterns appear on the staff report map series because Volusia County has not yet updated their GIS coverage.

The City received an application to amend the Official Zoning Map from Agriculture (A) and Industrial (I) to Business Planned Unit Development (BPUD) for a ±148.13-acre property located within the Deltona Activity Center. Properties within the Deltona Activity Center are required to be rezoned to a form of PUD zoning classification and that is consistent with the Activity Center Commercial Power Center future land use designation for the site. The BPUD would allow for a mixture of land uses (see the attached Development Agreement for the proposed list of permitted uses).

The proposed land uses for this application are warranted within the Activity Center that is designed to accommodate intensive land uses and maintains a functional regional roadway network. The attached staff report and supporting documents delve into land use and transportation matters associated with upgrades to the roadway network as proposed development creates 17,415 new external trips at project build-out.

The property is also adjacent to several neighborhoods and their residents have attended the Planning and Zoning Board and City Commission meetings opposing interconnectivity between this project and their homes. As proposed, there will only be pedestrian connections (sidewalks) and an emergency vehicle access (20-foot wide, 32-ton stabilized, and unpaved) at Tealwood Terrace. Land use intensity measures were added to the east side of the BPUD property and to proposed building height bonuses (see the attached staff report).

Finally, the Ordinance No. 17-2014 was recommended for approval by the Planning and Zoning Board on July 16, 2014. The proposed BPUD rezoning is consistent with the City's Comprehensive Plan.

ORIGINATING DEPARTMENT:

Planning and Development Services

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

Planning Director, Finance Director, City Attorney

STAFF RECOMMENDATION PRESENTED BY:

Presented by: Ron Paradise, Assistant Director, Planning and Development Services - Staff recommends that the City Commission approve Ordinance No. 17-2014, an amendment to rezone ±148.13 acres of land from Agriculture (A) and Industrial (I) to BPUD that is located at the northeast quadrant of the SR 472/Interstate 4 interchange, along the north side of Howland Boulevard, and within the Deltona Activity Center; at first reading."

POTENTIAL MOTION:

"I move to approve Ordinance No. 17-2014, an amendment to rezone ±148.13 acres of land from Agriculture (A) and Industrial (I) to BPUD that is located at the northeast quadrant of the SR 472/Interstate 4 interchange, along the north side of Howland Boulevard, and within the Deltona Activity Center; at first reading and to schedule second and final reading for September 15, 2014."

AGENDA ITEM APPROVED BY:

Dale A. Baker, Acting City Manager

ATTACHMENTS:

- Ordinance No. 17-2014 Staff Report 060414

-
- Proposed Development Agreement
- Master Development Plan (MDP)
- DRMP Peer Review Memo 061114
- Volusia County Traffic Memo 072914
- GMB Response Memo 081114
- Temporary Access Easement

ORDINANCE NO. 17-2014

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP PURSUANT TO CHAPTER 110, SECTION 1101 OF THE CITY CODE OF ORDINANCES FOR PROPERTY TOTALING APPROXIMATELY ±148.13 ACRES LOCATED NORTH OF HOWLAND BLVD./SR 472 AND EAST OF INTERSTATE 4 IN THE DELTONA ACTIVITY CENTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received an application to amend the zoning for a 148.13+/- acre portion of the Activity Center from Agriculture and Industrial to Business Planned Unit Development (BPUD); and

WHEREAS, the City of Deltona, Florida, and its Land Planning Agency have complied with the requirements of Municipal Home Rule Powers Act, sections 166.011 et seq., Florida Statutes, in considering the proposed BPUD amendment; and

WHEREAS, after said public hearing, the City Commission of the City of Deltona, Florida, has determined that the BPUD zoning is consistent with the Comprehensive Plan of the City of Deltona, Florida.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. Located in the City of Deltona, Florida, The Halifax Crossing zoning is hereby amended BPUD for the following property: Davis Park 5th Addition subdivision, Map Book 18, Page 128: Lots 1 through 24 Block 1; Lots 1 through 48 Block 2; Lots 1 through 24 Block 10; Lots 1 through 48 Block 9; Lots 1 through 48 Block 8; Lots 6 through 48 Block 3; Lots 1 through 48 Block 4; Lots 1 through 48 Block 7; Lots 1 through 24 Block 5 and Lots 1 through 24 Block 6, 5th Addition, Davis Park according to the map or plat thereof recorded in

City of Deltona, Florida
 Ordinance No. 17-2014
 Page 2 of 3

Map Book 18, Page 147, Public Records of Volusia County, Florida; and Davis Park 3rd Addition subdivision Map Book 18, Page 117: a portion of Lot 1 and Lots 4 through 23 Block 5 less and accept the right of way for Graves Ave.; Lots 1 through 46 Block 4 less and except the right of way for Graves Ave. Lots 1 through 4, less and except the right of way of Graves Ave, and Lots 42 through 46 Block 7; Lots 24 through 37 Block 3; Lots 1 through 12 and Lots 35 through 46 Block 8, 3rd Addition, Davis Park, according to the map or plat thereof recorded in Map Book 18, Page 117, of the Public Records of Volusia County, Florida; and Yourlando Farms and Groves subdivision, Map Book 10, Pages 227 - 228: Lots 40, 47, and 48; and Lots 55, 56 and 63 lying north of the right of way of State Road 472; Lots 41 and 46 lying north of State Road 472 and east of State Road 400; Lots 32 through 39, Yourlando Farms and Groves according to the map or plat thereof recorded in Map Book 10, Pages 227 and 228, Public Records of Volusia County, Florida.

SECTION 2. This Ordinance is adopted in conformity with and pursuant to the Comprehensive Plan of the City of Deltona, the Local Government Planning and Land Development Act, Sections 163.161 et. Seq., Florida Statutes, and the Municipal Home Rule Powers Act, Sections 166.011 et. seq., Florida Statutes.

SECTION 3. Conflicts. Any and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid

City of Deltona, Florida
Ordinance No. 17-2014
Page 3 of 3

provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 5. Effective Date. This Ordinance shall become effective immediately upon its final passage and adoption.

**ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA,
FLORIDA THIS _____ DAY OF _____ 2014.**

FIRST READING: _____

ADVERTISED: _____

SECOND READING: _____

BY: _____
JOHN C. MASIARCZYK, SR., MAYOR

ATTEST:

JOYCE RAFTERY, CMC, CITY CLERK

Approved as to form and legality
for use and reliance by the
City of Deltona, Florida

GRETCHEN R. H. VOSE, ESQ., CITY ATTORNEY



Memorandum

To: Planning and Zoning Board

From: Chris Bowley, AICP

Date: June 4, 2014

Re: Project No. RZ14-003. Amendment to the Official Zoning Map for the property known as Halifax Crossings, located at the intersection of Graves Avenue and Howland Boulevard.

I. SUMMARY OF APPLICATION:

APPLICANT: Zev Cohen & Associates
 c/o Paul Momberger, RLA
 300 interchange Blvd
 Ormond Beach, FL 32174

Request: The City of Deltona has received an application from Zev Cohen & Associates, to rezone the subject property from Agriculture and Industrial to BPUD

A. SITE INFORMATION:

1. **Tax Parcel No.:** Numerous
2. **Property Addresses:** NA.
3. **Property Acreage:** ±148 acres.
4. **Property Location:** Located at the northeast corner of the Interstate 4/SR 472 - Howland Boulevard interchange north of the intersection of Graves Ave. and Howland Blvd. and west of the Arbor Ridge and Timbercrest subdivisions.
5. **Property Legal Description:**

Note: this description is generalized and does not reflect three City Commission plat/rights of way vacation resolutions approved in April of 2014. The applicant will generate an up to date description by the July 16, 2014 Planning and Zoning meeting.

Davis Park 5th Addition subdivision, Map Book 18, Page 128: Lots 1 through 24 Block 1; Lots 1 through 48 Block 2; Lots 1 through 24 Block 10; Lots 1 through 48 Block 9; Lots 1 through 48 Block 8; Lots 6 through 48 Block 3; Lots 1 through 48 Block 4; Lots 1 through 48 Block 7; Lots 1 through 24 Block 5 and Lots 1 through 24 Block 6, 5th Addition, Davis park according to the map or plat thereof recorded in Map Book 18 Page 147 Public Records of Volusia County, Florida

Davis Park 3rd Addition subdivision Map Book 18 Page 117: A portion of Lot 1 and Lots 4 through 23 Block 5 Less and accept the right of way for Graves Ave.; Lots 1 through 46 Block 4 Less and except the right of way for Graves Ave. Lots 1 through 4, less and except the right of way of Graves Ave, and Lots 42 through 46 Block 7; Lots 24 through 37 Block 3; Lots 1 through 12 and Lots 35 through 46 Block 8, 3rd Addition, Davis Park, according to the map or plat thereof recorded in Map Book 18 Page 117 of the public records of Volusia County, Florida

Yourlando Farms and Groves subdivision, Map Book 10, Pages 227 - 228: Lots 40, 47, and 48; and Lots 55, 56 and 63 lying north of the right of way of SR 472; Lots 41 and 46 lying north of SR 472 and east of SR 400; Lots 32 through 39, Yourlando Farms and Groves according to the map or plat thereof recorded in Map Book 10 Pages 227 and 228, Public Records of Volusia County, Florida

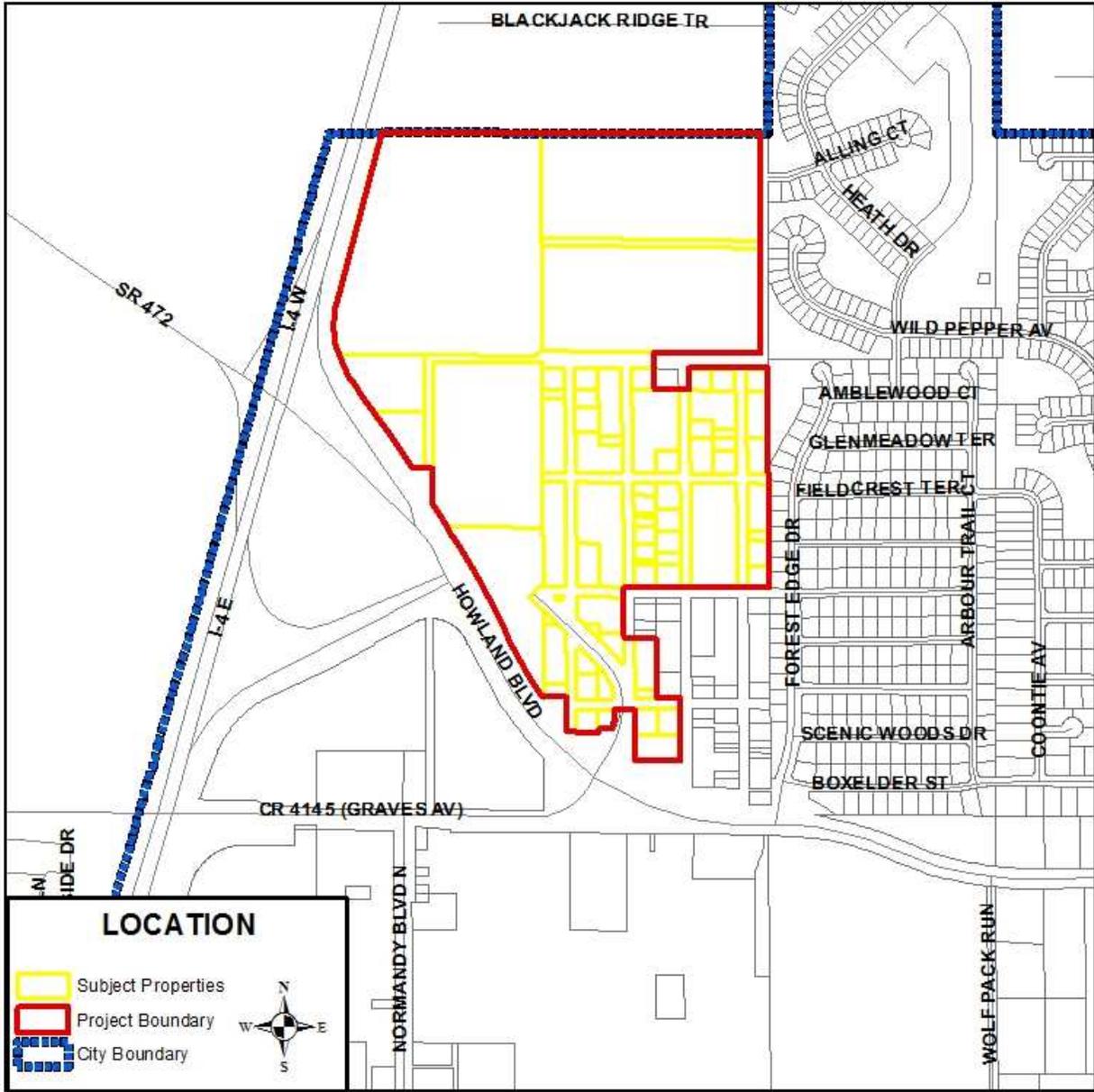


Figure 1: Location map

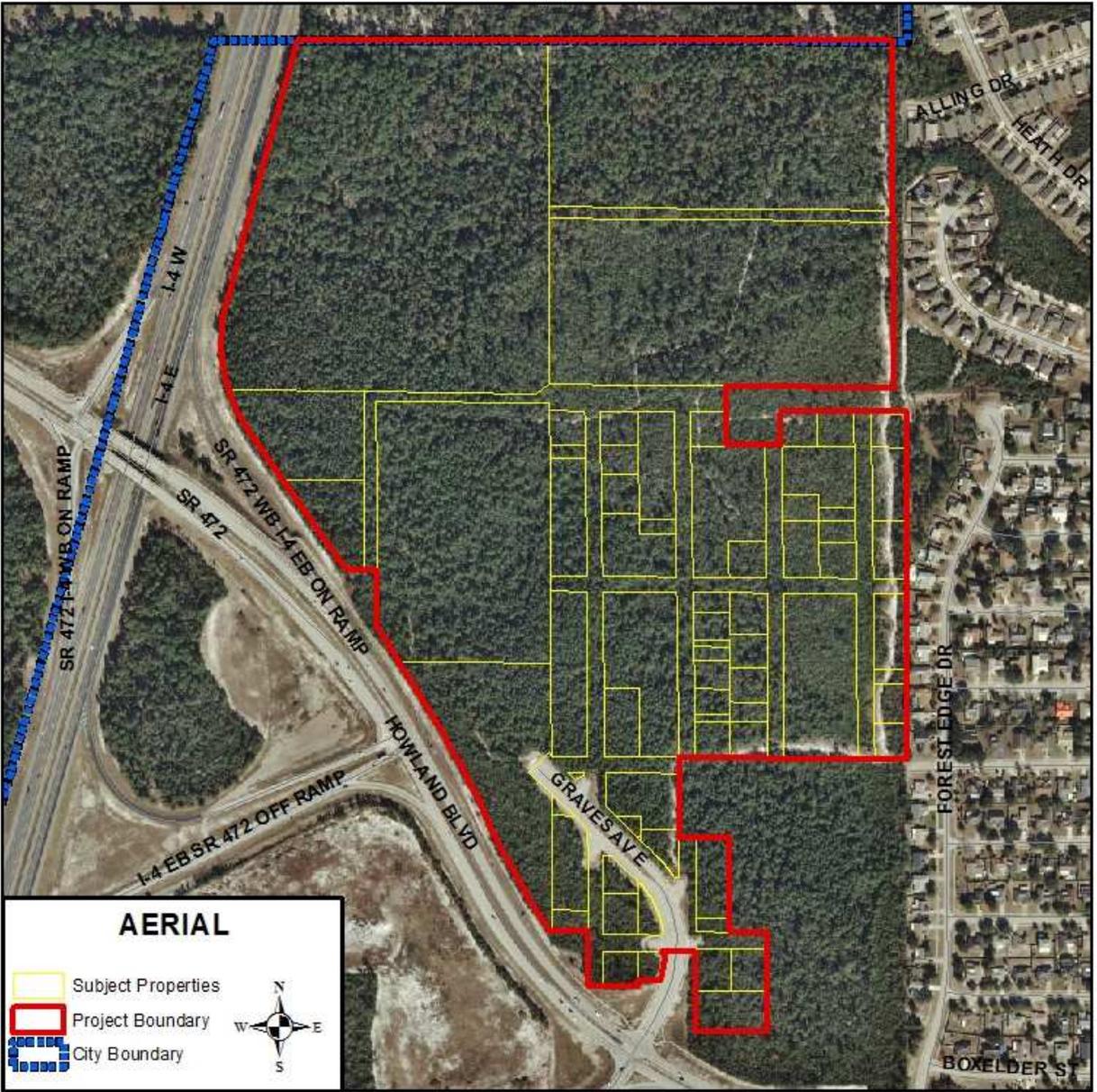


Figure 2: Aerial Photo

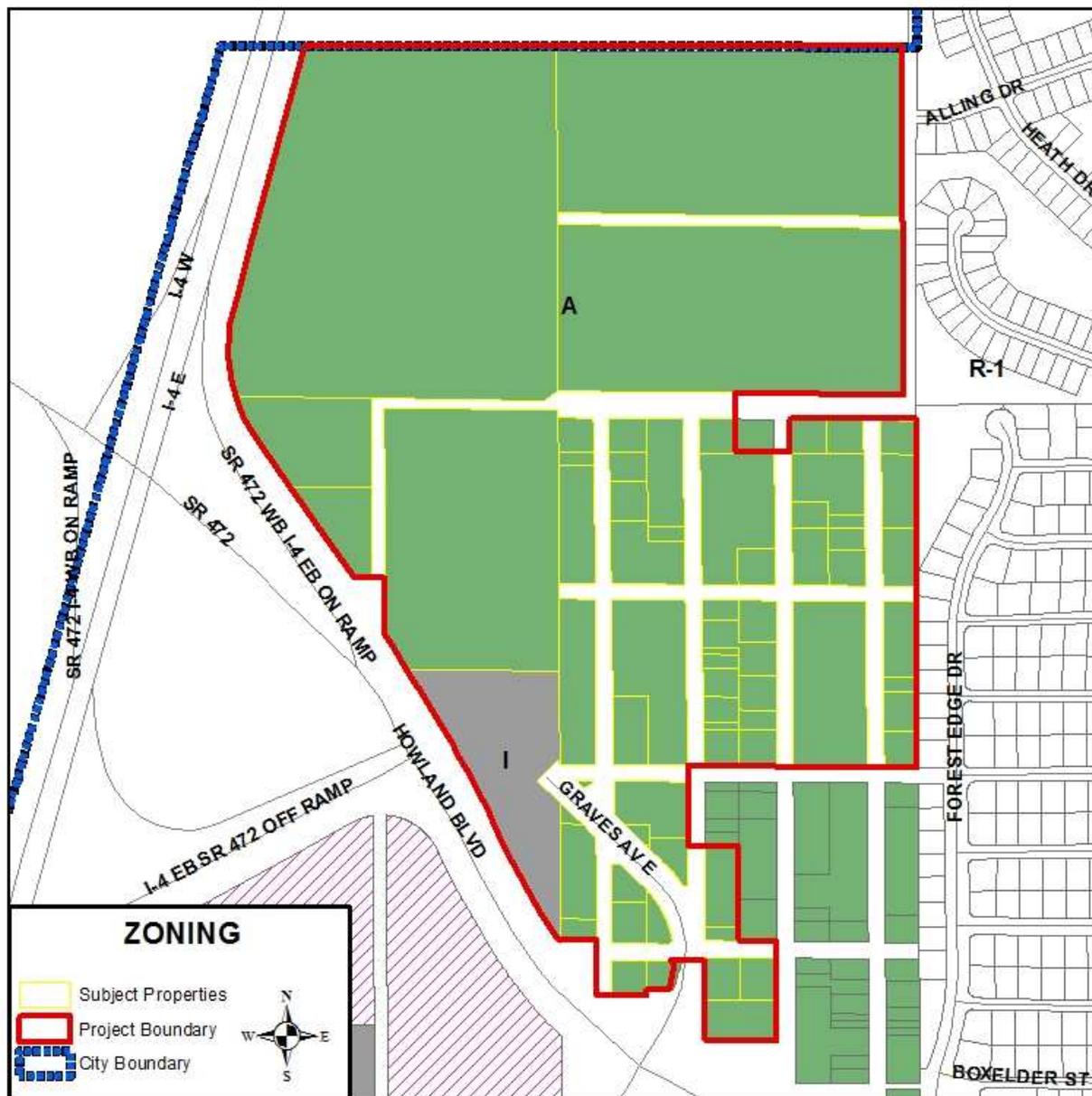


Figure 3: Existing Zoning

B. Existing Zoning:

1. **Subject Property:**
Existing: Agriculture and Industrial
Requested: BPUD
2. **Adjacent Properties**
North: Volusia County
South: BPUD

East: R-1
West: Volusia County

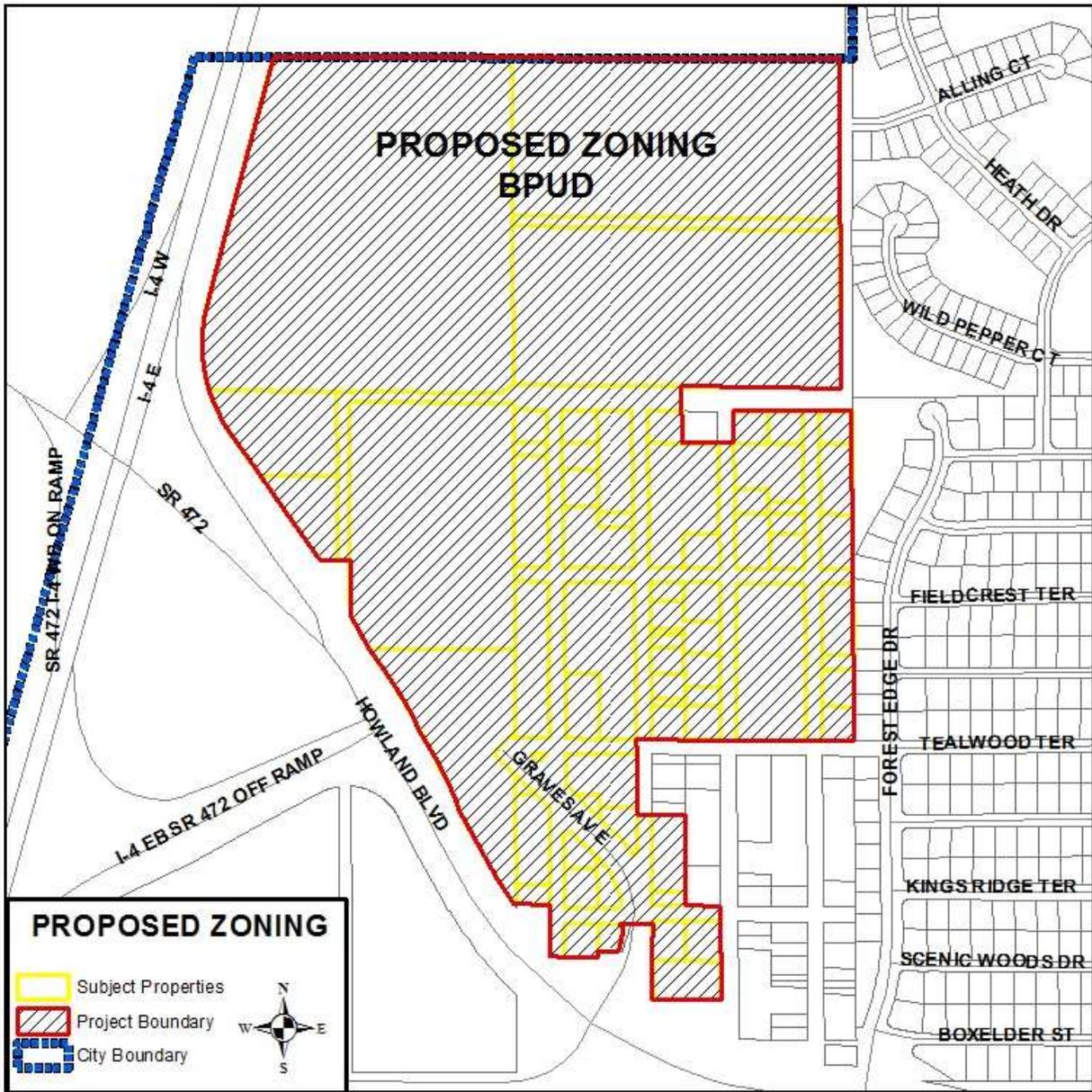


Figure 4: Proposed Zoning

C. Proposed Zoning:

Business Planned Unit Development (BPUD) The purpose and intent of the planned unit development is to provide for integrated developments, which are consistent with the Comprehensive Plan, so as to promote the orderly development of compatible land uses. Further, it is intended that a proposed development be sensitive to existing adjacent and future land uses, the natural environment and the impact upon supporting public infrastructure. A BPUD may consist of uses found within the commercial zoning classifications contained within Chapter 110 of the City's Land Development Code and uses consistent with the Comprehensive Plan.

D. Back Ground

The proposed property to be rezoned is in the northern portion of the area known as the Deltona Activity Center. The Activity Center concept dates back to the early 1990's when the County designated an approximately 1800 acre area, including the subject land, on both sides of Interstate 4 with the Activity Center moniker on the County Future Land Use Map. The Activity Center eventually evolved into an area-wide Development of Regional Impact or DRI, but after years of inactivity the City of Deltona DRI, Development Order expired. However, the Activity Center is still managed under a local plan appended to the Future Land Use Element of the City Comprehensive Plan.

As has been stated, before development can take place, the properties must be rezoned utilizing the PUD process. The applicant has applied to rezone approximately 148 acres from Agriculture and Industrial to BPUD, allowing for a wide mixture of uses such as medical offices, auto dealerships, hotels, assisted living facilities, restaurants, retail uses and more.

E. Support Information

Public Facilities

- a. Potable Water: to be supplied by Volusia County Deltona North Franchise
- b. Sanitary Sewer: to be supplied by Volusia County Deltona North Franchise
- c. Fire Protection: City Fire Station 65
- d. Law Enforcement: Volusia County Sheriff's Office (VCSO)
- e. Electricity: Duke Energy (FKA Progress Energy)

F. Matters for Consideration – Section 110-1101, Code of City Ordinances, states that the City shall consider the following matters when reviewing applications for amendments to the Official Zoning Map:

1. **Whether it is consistent with all adopted elements of the Comprehensive Plan.**

The City is underserved by commercial uses and there is a significant land use imbalance between residential and non-residential land uses. To respond to this situation, the Comprehensive Plan contains policies that encourage a diversification of land uses within the City. The rezoning of the subject property is meant to allow for large scale regional commercial and institutional development, meeting the original intent of the Activity Center. There is recognition that there is a living facility aspect of this application. However, according to the Comprehensive Plan (Policy FLU1-8.4) such living facilities may be compatible within commercial areas/developments. Therefore, the proposed rezoning would be consistent with the Comprehensive Plan if the suggested recommendations by City staff are implemented.

2. Its impact upon the environment or natural resources.

The property is largely undeveloped. The natural condition of the site can be described as sand pine scrub and long leaf pine sandhill vegetative communities. The property is managed for timber production and is taxed at an agricultural rate for silviculture. Portions of both the sand pine scrub area and long leaf pine areas have been timbered. The timbered area is dominated by early successional scrub vegetation such as saw palmetto and sand live oak. The soils on site are sandy, well drained and classed predominately as Orsino, Astutula, and Paola Fine Sands.

According to the February 2014 FEMA flood zone maps; two small portions of the subject property are located within the 100 year floodplain. These depressional areas are likely a result of karstic geological activity. Topography on the site is undulating. Typically for large scale development projects level areas are preferred. Therefore, to facilitate development, there will be extensive cut and fill activity occurring on the property.

The site is \pm 148 acres and may be used as habitat for small and large animals, such as raccoons, deer, and wild pigs. The most probable listed species that could use the site include gopher tortoises and/or scrub jays. Gopher tortoise burrows were observed by City staff during a recent field visit. The site will need to be appropriately surveyed for tortoises to determine population density and burrow location. Tortoises within the development will have to be relocated following State procedures. The property will also need to be surveyed for scrub jays. If jays are noted on site, permits from the U.S. Fish and Wildlife Service will be required. All permits to address listed species protection will be required by the City during the site plan review process.

3. Its impact upon the economy of any affected area.

The proposed impact of the development upon the local economy, if built as depicted in the application material, will be tremendous for the City. The BPUD would create a wide range of jobs from service employment opportunities to high paying medical professional jobs. Also, such development would help diversify the City tax base.

4. Notwithstanding the provisions of Article XIV of the Land Development Code, Ordinance No. 92-25 [Chapter 86, Code of Ordinances] as it may be amended from time to time, its impact upon necessary governmental services such as schools, sewage disposal, potable water, drainage, fire and police protection, solid waste or transportation systems.

- a. **Schools:** The Volusia County School Board staff has indicated that this rezoning will not affect local schools.
- b. **Sewage Disposal:** The site will be served by the Volusia County Deltona North system and the County has indicated that there is capacity to serve the project.
- c. **Potable Water:** The site will be served by the Volusia County Deltona North system and the County has indicated that there is capacity to serve the project.
- d. **Drainage:** All site related stormwater runoff will be managed on-site and all stormwater management facilities will be constructed in accordance with the necessary requirements of the City's Land Development Code and other permitting agencies.
- e. **Transportation Systems:**

The area to be rezoned is a relatively large area (almost 150 acres) and the development program proposed is intensive. Under the proposed Development Agreement, an applicant suggested floor area ratio (FAR) of 0.55 would yield in excess of 3 million square feet of floor space, facilitating various development formats including office, retail commercial and medical. Known as the Activity Center, a wide range of urban, mostly non-residential uses have been contemplated for the subject property and surrounding area for decades.

With the land use types and related intensities planned for the Activity Center, the Activity Center, after development, will be a very desirable destination. Expressed in more certain terms, traffic will increase. An increase of traffic should not be viewed as a negative if there are safeguards, including infrastructure improvements, afforded to ensure a safe and efficient flow of traffic. With this concept in mind, protecting the function of the traffic network is even more needed in this instance because the area proposed to be rezoned is located near a major interstate interchange – I-4 and SR 472. The I-4/SR 472 interchange is a critical City resource. The interchange allows a flow of people and goods to and from the City. If the function of the interchange is compromised, the result will be reduced mobility which would deleteriously impact City economic competitiveness and quality of life.

As per the City Land Development Code, the applicant was required to generate a traffic impact analysis (TIA). The applicant's TIA was prepared by the consulting

firm GMB. The GMB TIA was reviewed by City staff as well as a consultant that is experienced in traffic engineering matters. The firm used by the City to review the GMB work was DRMP.

The applicant's TIA revealed the project in the build out year of 2025 would generate 17,415 daily trips. This is a significant volume of traffic. However, the 17,415 trips were predicated on a development program consisting of about 1,183,300 square feet of hospital, medical office, sit-down restaurant and general office uses. The development program used to assess the traffic impacts of the project did not account for various traffic intensive uses that are proposed within the Development Agreement including big box retail, uses with drive through facilities (i.e. fast food), and various institutional activities. The TIA square footage assumption results an intensity equivalent of 0.183 FAR which is far less than the proposed 0.55 FAR illustrated within the proposed Development Agreement. Basically, the traffic amount indicated by the applicant's TIA is considerably underrepresented based on the intensity proposed via the Development Agreement.

The GMB work also has indicated that the project should be phased. The first phase would extend to the year 2020 and would generate 13,567 trips and phase II, or build out, would occur in 2025 with the remaining 3848 trips being realized. Again, the phasing approach illustrated in the TIA is not part of the applicant's Development Agreement.

The TIA phasing approach and development intensity inconsistency is an attempt to facilitate a significant level of traffic on the City transportation network without having to engage in significant transportation mitigation activities. The TIA indicates that State law (Chapter 163 F.S.) basically does not require a development to address pre-existing deficiencies. The most up to date version of Chapter 163 F.S. does allow local governments flexibility with regard to traffic concurrency but local governments still have the ability to implement traffic level of service standards. Mobility in the City is of critical importance and is why the City still implements level of service standards for roadways within the City. The LOS approach represents a yardstick of sorts of which to gauge mobility within the City and is a tool to manage land use. The LOS thresholds are also used to facilitate appropriate capital investments in City infrastructure. Finally, safe, efficient and effective mobility within the City falls under the basic health, safety and welfare mission of any unit of government including the City of Deltona. Therefore, the City, through the land development process, including rezoning, has the ability (and obligation) to ensure that mobility is addressed, at minimum, in a safe manner that makes the most efficient use of public infrastructure.

As has been stated, the applicant's TIA suggest that the City should allow over 13,000 trip ends to the City network without any mitigation including developer oriented contributions. It is highly unlikely the existing City road network in the

vicinity, including the interchange, could function with the addition of over 13,000 trip ends added to the network without the need for some traffic management improvements. Therefore, City staff directed its consultant, DRMP, as part of the GMB TIA review, to generate a list of roadway improvement strategies to address traffic impacts. The DRMP roadway improvement strategies include upgrading the Graves Ave./Howland Blvd. intersection. This intersection represents the main entrance to the development. All land to the west is part of the Interstate 4 limited access envelope and is not eligible for driveways. Improvements to the Graves/Howland intersection include the addition of westbound left turn storage to remove turning traffic from the travel lanes, and an additional eastbound through lane on Howland Blvd. to increase capacity. The intent of the suggested Graves Ave./Howland Blvd. improvements is to basically protect the flow characteristics of the intersection. Suggested improvements to the Catalina Blvd./Howland Blvd. intersection consist of the addition of a southbound right turn lane on Catalina Blvd. to serve the high volume of vehicles in this movement. Out of City jurisdiction improvements to the SR 472/MLK intersection are also mentioned. For more information on the DRMP review of the GMB TIA, including potential improvements, see the attached comments from DRMP. Also, City staff has created a map series that depicts the location of the DRMP suggested improvements.

The above mentioned traffic improvement strategies identified through the traffic analysis work of both the applicant and the City will require that the City, State, and County work with the applicant to afford appropriate traffic mitigation including off-site improvements. An important note to make is that traffic mitigation, especially in the vicinity of the project is not only in the public interest but the interest of the developer. If access to the site becomes a challenge and traffic leading to the project is snarled, the viability of the development will be jeopardized. Another incentive for the developer/applicant to provide appropriate traffic mitigation is to ensure that traffic impact fee obligations are used to better manage impacts of the project more locally versus the impact fee payments incrementally collected by the City and County that are distributed City wide or in the case of the County used anywhere within the requisite impact fee zone. (The County impact fee zone of which the City is located includes much of south west Volusia and extends well east of the community of Osteen.)

Of course from the perspective of the developer, providing upfront improvements that are impact fee credit eligible requires an infusion of resources which will only be realized as those credits are used as the property is developed. On the other hand, such a commitment from the developer/applicant would ensure that there is incentive to following through with the development plan and the proposal does not represent a mere speculative positioning of the property via entitlement approval.

Traffic is a major component of this request and with that theme in mind, the following actions need to occur:

- 1) The entire project should be associated with a trip cap. In the absence of any other data, the trip cap should be the GMB assumed 17,415 trips.
 - 2) To help implement the trip cap, there needs to be a land use/trip equivalency matrix formulated. The equivalency matrix will provide a level of flexibility with regard to what type of land uses are eventually developed on the site but still comply with the overall trip cap. The equivalency matrix should be formulated by the applicant to allow a range of land use types that comports with the applicant's development vision. However, land use mixtures needs to be consistent with the City Comprehensive Plan.
 - 3) The project needs to be phased and certain traffic mitigation activities, including off-site improvements need to be linked to the phasing schedule. The phasing schedule should be benchmarked by trip end attainment. The applicant should be responsible for proposing a phasing schedule with mitigation benchmarks.
 - 4) All traffic improvements that are programed to the phases need to be in place before any City development reviews are initiated by the City. For example, if an application is made for site review without requisite improvements in place, the application will be considered inconsistent with, at minimum, Chapter 86 (Concurrency Management) of the City Land Development Code.
 - 5) Traffic monitoring and modeling needs to occur every five (5) years, regardless if any development occurs within in the BPUD, to ensure that the traffic assumptions in place when development approval was granted are still applicable to the contemporary transportation environment.
- 5. Any changes in circumstances or conditions affecting the area.**
Commercial development is beginning to take place in the Activity Center. In addition, in the late spring of 2014, the City Commission did vacate some antiquated plats which unencumbered the property proposed to be rezoned from previous plat requirements (i.e. dedicated rights of way).
- 6. Any mistakes in the original classification.**
No known mistakes in the original classification.
- 7. Its effect upon the public health, welfare, safety or morals.**
Business and commercial growth have been long standing goals of the City. The benefits of such growth including tax base diversification, more readily accessible shopping and entertainment venues, and expanded employment opportunity seem to consistently resonate through the community. However, those pro-business growth sentiments, the yearning for tax base diversification and jobs by the constituent base can be seriously tested when there is a business development planned near residential areas. This dynamic is very common in the City of Deltona where the most dominate land use is residential. However, new business

development as it relates to existing residential development, need not be a contentious issue when framed by some basic parameters: 1) Business growth and development within the present City limits is generally a good thing. 2) Residential areas deserve protection. The reconciliation of these two parameters is considered land use compatibility and land use compatibility is a major cornerstone of the City Comprehensive Plan and implementing ordinances (i.e. Land Development Code).

Land use compatibility can be effectuated in numerous ways; however, for the greatest effect all or a combination of these tools should be employed.

- 1) Limitation of density/intensity
- 2) Limitation of uses on a parcel
- 3) Strategic location of uses on a parcel
- 4) Buffers, setbacks and open space
- 5) Traffic management
- 6) Aesthetic controls

With these strategies in mind, City staff suggests that the project be conditioned. The following list of conditions have been proposed by the applicant and/or are suggested by City staff will be implemented as part of the existing or updated of the Development Agreement and the Master Development Plan (MDP). Attached will be a Development Agreement presented in an underline and strike through format illustrating changes proposed by staff.

- 1) City staff as illustrated under the “Transportation Systems” section of this report has suggested that a trip cap be implemented. The trip cap will limit overall project intensity. However, the 0.55 FAR proposed by the applicant will remain. What this means is that an individual development may be developed at a relatively high intensity but other developments in the project will be less intense.
- 2) The project, as proposed, has an expansive list of uses. For a site of this size and strategic location (i.e. near a major interstate interchange), a wide range of uses is appropriate. However, some uses have been suggested by staff to be deleted or combined with other uses. Perhaps the most notable recommended deletion is the proposed big box home improvement store format. The logic behind the elimination of the big box home improvement store was to promote more land use harmony with the residential land uses located to the east. Big box stores tend to be associated with extensive activity like high customer/traffic volumes and frequent deliveries. These uses also tend to operate long hours.
- 3) Land use intensity gradation on the project property should be terraced from west to east with the most intensive land uses located near the interstate and less intensive uses being earmarked for the eastern section of the property.

- 4) Buffers will need to comply with Section 110-808 of the City Land Development Code. However, staff and the applicant are suggesting that there be a minimum of a 40 foot landscape buffer afforded to the abutting Timbercrest/Arbor Ridge residential areas. In order to comply with Section 110-808 the residential areas to the north located in unincorporated Volusia County will also need to be afforded a 40 foot buffer. In addition, as designed on the applicant's MDP, a large retention area is proposed for the east side of the property which will enhance buffering. The BPUD will be required to set aside 20% of the site for common open space (Sec 110-319(k)(3)). Also to manage the open space a property owners association will need to be established. The open space requirement is especially important because a portion of this property could be developed for residential oriented uses such as assisted living facilities. The open space can be used to enhance the aesthetics of the development which is important since it is a gateway project.
- 5) Traffic management as it relates to the City transportation network has been discussed elsewhere in this report. However, there will be no vehicular access to the project through adjacent neighborhoods except for emergency access as may be deemed appropriate by the City public safety offices (police/fire). However, there should be pedestrian and bike access to the project to facilitate convenient multi-modal travel options for the Arbor Ridge and Timbercrest neighborhoods to access the goods and services provided by the project.
- 6) The applicant has pledged to implement architectural controls and has indicated that the City Urban Design Pattern Book will be used to guide the physiognomy of the built environment. In addition, all signs shall comport with Chapter 102 of the City Land Development Code.

Therefore, with the proposed changes to the Development Agreement that capture the above referenced compatibility parameters and the appropriate management of traffic (including applicant developed off-site traffic improvements) would create a condition where the project would not conflict with the public health, welfare, safety and morals of the City.

CONCLUSION/STAFF RECOMMENDATION

The proposed rezoning helps to diversify the local development pattern, and hopefully facilitate actual development of the property in a manner that will provide goods, services and jobs for the City. However, the development of the property needs to occur in a manner that minimizes the impacts to City infrastructure, complies with City Code requirements, and is compatible with existing land uses. Staff recommends approval of Ordinance 17-2014 rezoning the 148+ acres of the Activity Center from Agriculture and Industrial to BPUD subject to the following conditions:

- 1) The Development Agreement and Master Development Plan be revised to integrate the traffic management provisions as illustrated below:
 - a) The development will be limited to 17,415 trips.

- b) By the first City Commission hearing the applicant needs to generate an equivalency matrix, consistent with the Comprehensive Plan to implement the trip cap.
 - c) By the first City Commission meeting the applicant generate a phasing/traffic mitigation plan.
 - d) All traffic improvements that are programed to the phases need to be in place before any City development reviews are initiated by the City.
 - e) The applicant will be responsible for monitoring and modeling at five (5) year intervals that complies with acceptable transportation planning methodology.
- 2) The Development Agreement be revised to include the compatibility parameters as indicated elsewhere in this staff report and in the attached underline and strike through changes in the attached Development Agreement.

DEVELOPMENT AGREEMENT

THIS AGREEMENT entered into and made as of the ___ day of _____, 2014, by and between the **CITY OF DELTONA, FLORIDA**, (hereinafter referred to as the "**City**"), and TRAFALGAR HOLDINGS, LLC (hereinafter referred to as the "**Owner/Developer**").

W I T N E S S E T H

WHEREAS, the Owner/Developer warrants that it holds legal title to the property described in Paragraph 2 below and that the holders of any and all liens and encumbrances affecting such property will subordinate their interests to this Agreement; and

WHEREAS, the Owner/Developer desires to facilitate the orderly development of the subject property, in compliance with the laws and regulations of the City and of other governmental authorities, and the Owner/Developer desires to ensure that its development is compatible with other properties in the area and planned traffic patterns; and

WHEREAS, it is the purpose of this Agreement to clearly set forth the understanding and agreement of the parties concerning the matters contained herein; and

WHEREAS, the Owner/Developer has sought the City's approval for plans to develop its property, and the City Commission of the City of Deltona has approved a Master Development Plan ("MDP") contemporaneously with the approval of this Agreement, subject to the covenants and restrictions offered by the Owner/Developer and contained herein. A copy of the MDP is attached hereto as Exhibit "B".

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

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1. **Incorporation.** The recitals herein contained are true and correct and are incorporated herein by reference.

2. **Ownership.** The Owner/Developer represents that it is the present owner of the following described property (hereinafter referred to as the "Subject Property"):

See legal description attached hereto as Exhibit "A"

3. **Title Opinion/Certification.** The Owner/Developer will provide to the City, in advance of the City's execution of this Agreement, a title opinion of an attorney licensed in the State of Florida, or a certification by an abstractor or title company authorized to do business in the State of Florida, showing marketable title to the Subject Property to be in the name of the Owner/Developer and showing all liens, mortgages, and other encumbrances not satisfied or released of record.

4. **Subordination/Joinder.** Unless otherwise agreed to by the City, all liens, mortgages, and other encumbrances not satisfied or released of record, must be subordinated to the terms of this Agreement or the lienholder must join in this Agreement. It shall be the responsibility of the Owner/Developer to promptly obtain the said subordination or joinder, in form and substance acceptable to the City Attorney, prior to the City's execution of the Agreement.

5. **Internal Roadway Improvements.** The road(s) depicted on the MDP attached hereto shall be dedicated to the public through the platting process. The City of Deltona shall not be required to accept such roadways, and any related infrastructure, until such time as construction of the roads have been completed and the City of Deltona determines that the construction was completed in conformity with all applicable regulations. In addition, the Owner/Developer shall provide a temporary ingress/egress easement to the parcel of property which is surrounded by the Subject Property but which is not owned by the Owner/Developer and which is otherwise not subject

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to this Agreement. The temporary ingress/egress easement shall expire upon Owner/Developer providing alternative access to an improved public street.

6. Development Conditions.

1. Minimum lot area: 0.50 acres
2. Minimum lot width: 100 ft.
3. Minimum building setbacks:
 - a. Front yard: 35 ft.
 - b. Rear yard: 10 ft. / 40 ft. if abutting residential
 - c. Side yard: 10 ft. / 40 ft. if abutting residential
 - d. Yards for buildings over 75 ft.: 100 ft. adjacent to residential areas and half the height of building for side yards abutting other uses
4. Maximum density/intensity: 20 units per acre/0.55 FAR
5. Maximum building coverage: 35%
6. Maximum impervious surface over entire site: 75%
7. Maximum building height (excluding towers and antennae): 100 ft. for Lot 12 depicted on the Master Development Plan; 75 ft. all other lots.
8. Landscape buffer requirements: Consistent with Section 110-808; however a 40 ft. landscape buffer will be afforded to abutting residential areas.
9. Minimum building separation: 10 ft. or comply with Development Condition 3(d); as applicable.

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10. Project open space requirements for residential development, inclusive of retention pond buffers and green space: 25% of the site proposed for residential type development (i.e. living facilities).
11. Off-street parking requirements: Consistent with Section 110-828 and Section 110-829, excluding subsection “K” of Section 110-829 of the City Code, as it may be amended from time to time.
13. Signage: Consistent with Chapter 102 of the City Code, as it may be amended from time to time.

7. **Architectural Controls.** A common architectural theme shall be established by harmoniously coordinating the general appearance of all buildings and accessory structures and should, to the extent practicable, be designed consistent with the City of Deltona’s Urban Design Pattern Book and Urban Design Master Plan, as it may be updated from time to time, to provide visual compatibility and functional continuity with other adjacent developments within the Activity Center. For purposes herein, general appearance includes, but is not limited to, exterior wall finishes, construction materials, roof styles, slopes, architectural details and ornamentation. The following general requirements shall apply to development on the Subject Property:

- a. All structures shall complement one another and shall convey a sense of quality and permanence.
- b. Exterior walls facing public rights-of-way shall be constructed of finished materials such as stucco, natural brick or stone, finished concrete, wood, or concrete fiberboard, or other similar material on all sides.

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- c. All amenities, accessory structures, and signage shall be consistent with the overall theme of the project.
- d. All drive-through canopies shall be compatible with the architectural design of the principle structure.
- e. All service areas and mechanical equipment visible from public rights-of-way (ground or roof) including, but not limited to, air conditioning condensers, heating units, electric meters, satellite dishes, irrigation pumps, ice machines and dispensers, outdoor vending machines, and propane tanks, displays and refilling areas and other mechanicals, shall be screened using architectural features consistent with the structure, or landscaping of sufficient density and maturity at planting to provide opaque screening.
- f. Loading docks shall be located away from the street and screened from public view.

Architectural elevations shall be submitted with a Final Site Plan application for each lot and the Development Review Committee (DRC) shall determine compliance before issuing a Development Order.

8. Environmental and Tree Preservation. The property contains habitat that may be suitable for scrub jays and gopher tortoises. As part of the site plan review process, the property shall be surveyed to determine the presence and/or population density of jays and tortoises. If tortoises are found to inhabit a development area then the removal and location shall be required in lieu of a 'take' consistent with all permitting requirements. If scrub jays are noted on site, then any

modification of that habitat shall be permitted consistent with the requirements of the U.S. Fish and Wildlife Service. Tree protection shall be in accordance with Chapter 98 of the City Code as it may be amended from time to time. Tree protection areas and habitat protection set aside land may coincide with buffer yards and other open space acreage. All stormwater shall be managed by stormwater systems (which may include common systems and systems servicing a single parcel) that are permitted by the City, the St. Johns River Water Management District, etc. Irrigation shall comply with the requirements of the utility servicing the project and applicable permitting agencies. However, the use of potable water for irrigation shall be prohibited. Owner/Developer shall install appropriate reuse irrigation lines/infrastructure, including stub-outs, throughout the project as development occurs. Upon reclaimed water lines being available at the intersection of Graves Ave. and Howland Blvd. with sufficient capacity to service the development, Owner/Developer shall connect to the reclaimed water source and irrigation by means other than reclaimed water shall be discontinued.

9. Permitted Uses. The uses permitted on the Subject Property are those uses set forth in the use list attached hereto as Exhibit “C”. Consistent with the City Future Land Use Map, more intensive permitted uses (business and medical) shall be located towards the Interstate 4/Howland Blvd. corridors in ‘Area A’. ‘Area A’ shall be described as follows: All of the south half of Government Lot 7 east of I-4; the west 850 feet of Davis Park 5th Addition, except lots 1-5 Block 3 Davis Park 5th Addition and less and except the north 60’ of the west 134.50’ of the east 660’ of Davis Park 5th Addition, AKA non-vacated 60’ Walter Av right of way extending from the northwest corner of Lot 1 Block 3 to the northeast corner of Lot 1 Block 3 Davis Park 5th Addition; less and

except the north 125.98' of the south 1,271.05' of the west 60' of the east 530' of Davis Park 5th Addition, AKA non-vacated 60' Persimmon St. right of way extending from the northeast corner of Lot 1 Block 3 to the southeast corner of Lot 5 Block 3 Davis Park 5th Addition; and Lots 40, 41, 46, 47, 48, 55, 56, and 63, all lying north and east of Howland Blvd./SR 472 and I-4, Yourlando Farms and Groves, less and except the Graves Av. right of way; and lots 24 – 37 Block 3 Davis Park 3rd Addition, including vacated portion of the 60' Illinois Av. right of way extending between the southwest corner of Lot 24 and the southeast corner of Lot 24 Block 3, Davis Park 3rd Addition, including the vacated portion of the 60' Orange St. right of way extending between the northwest corner of Lot 37 Block 3, Davis Park 3rd Addition to the Graves Av. right of way; All of Block 4, Davis Park 3rd Addition, including the vacated portion of the 60' Wisconsin Av extending from the northeast corner of Lot 1, Block 4, Davis Park 3rd Addition to the northwest corner of Lot 46, Block 4, Davis Park 3rd Addition, including the vacated 60' Illinois Av from the southwest corner of Lot 24 to the Graves Av. right of way; and Lots 1 and 4 – 23 Block 5 Davis Park 3rd Addition, including the Grape St. right of way from the Graves Av. right of way south to the Howland Blvd./SR 472 right of way, and including the Illinois right of way from the southeast corner of lot 23 Block 5, Davis Park 3rd Addition to the Howland Blvd./SR 472 right of way; and Lots 1 – 12 and Lots 35 – 46 Block 8, Davis Park 3rd Addition. Less and except the Graves Av right of way. Lots 1-3 lying North and East of Howland Blvd./ SR 472, Davis Park 3rd Addition and Lots 1-4 and Lots 46-42 lying North of Howland Blvd./SR 472 less and except Graves Avenue right of way. All located in Section 6, Township 18 South, Range 31 East.

Less intensive uses (living facilities and office) shall be sited in the eastern sections of the

property referred to as 'Area B'. 'Area B' will be described as follows: All of the south half of Government Lot 8, AKA Lots 32 – 39 Yourlando Farms and Groves; and the east 455' of Davis Park 5th Addition, AKA all of Blocks 1, 2, 9, and 10 and vacated 60' Mangoe St. right of way and the vacated 60' Walter Av. right of way between the northwest corner of Lot 48, Block 2 and the northeast corner of Lot 1 Block 1 Davis Park 5th Addition; and all of the 60' Wamber Av. right of way between the northwest corner of Lot 48, Block 9 and the northeast corner of Lot 1, Block 10, Davis Park 5th Addition. All located in Section 6, Township 18 South, Range 31 East.

10. Property Owners Association. The charter and by-laws of any property owners association which will be formed for the Subject Property and any deed restrictions related thereto, shall be furnished to the City of Deltona and recorded before a Certificate of Occupancy is issued for the first development project on land covered by this BPUD Development Agreement. The property owner association shall, at minimum be responsible for maintaining the common open space. The Owner/Developer shall be responsible for establishing the POA and recording said information in the Public Records of Volusia County, Florida. Also, the Owner/Developer shall bear and pay all costs for recording all of the aforementioned documents.

The City of Deltona will have no responsibility for the enforcement of said agreements or deed restrictions entered into between owners or occupiers of the Subject Property.

11. Enforcement. In the event that enforcement of this Agreement by the City becomes necessary, and the City is successful in such enforcement, the Owner/Developer shall be responsible for all costs and expenses, including attorneys' fees whether or not litigation is necessary and if necessary, both at trial and on appeal, incurred in enforcing or ensuring compliance with the terms

and conditions of this Agreement which costs, expenses and fees shall also be a lien upon the Subject Property superior to all others. Should this Agreement require the payment of any monies to the City the recording of this Agreement shall constitute a lien upon the property for said monies, until said are paid, in addition to such other obligations as this agreement may impose upon the Subject Property and the Owner/Developer. Interest on unpaid overdue sums shall accrue at the rate of eighteen percent (18%) compound annually or at the maximum rate allowed by law.

12. Compliance. The Owner/Developer agrees that it, and its successors and assigns, will abide by the provisions of this Agreement, the City's Comprehensive Plan, and the City's Land Development Code, including but not limited to, the site plan regulations of the City as amended from time to time, which are incorporated herein by reference and such subsequent amendments hereto as may be applicable. Further, all required improvements, including landscaping, shall be continuously maintained by the Owner/Developer, or its successors and assigns, in accordance with the City's Land Development Code. The City may, without prejudice to any other legal or equitable right or remedy it may have, withhold permits, certificates of occupancy or approvals, etc. should the Owner/Developer fail to comply with the terms of this Agreement.

13. Utility Easements. The Owner/Developer shall provide to the City or the County, as applicable, such easements and other legal documentation, in form mutually acceptable to the City/County Attorney and the Owner/Developer, as the City/County may deem reasonably necessary or appropriate for the installation and maintenance of the utility and other services, including but not limited to, sewer, potable water, and reclaimed water services, electric, cable, fire protection and telecommunications.

14. Concurrency and Vested Rights. The Owner/Developer acknowledges and agrees that prior to the issuance of any building permit(s) for the Subject Property, the Owner/Developer must have received and be in the possession of a valid and unexpired Certificate of Capacity. The Certificate of Capacity verifies the reservation of infrastructure capacity sufficient to permit development pursuant to the approved site plan for the Subject Property without causing a reduction in the levels of service adopted in the City's Comprehensive Plan. The Certificate of Capacity shall be effective for a term as defined in the Land Development Code. Neither this Development Agreement nor the site plan approved shall create or result in a vested right or rights to develop the Subject Property without a current and valid Certificate of Capacity.

15. Transportation. Traffic generated from the overall project is hereby capped at 17,415 daily trips, of which no more than 4,997 daily trips shall be generated from Lot 12 as depicted on the Master Development Plan (trip generation rates shall be determined utilizing the Institute of Traffic Engineers (ITE) Trip Generation Manual 9th Edition.) The overall trip cap of 17,415 and the 4,997 daily trip allocation of Lot 12 shall limit land use intensity/density notwithstanding the 0.55 FAR intensity/20 units per acre allowance within a two (2) phase project. Traffic generated from Phase I of the Development shall not exceed 13,567 daily trips of which daily trips from Lot 12 as depicted on the Master Development Plan shall not exceed 4,997 daily trips. A schedule of trip entitlements controlled by the Institute of Transportation Engineers Trip Generation Manual, 9th Edition, shall be maintained by the City in a concurrency management system and the Owner/Developer and/or individual developments shall be responsible for paying for peer review to verify trip generation characteristics from individual developments.

Traffic mitigation will be required to support Phase II of the project for the remaining 3,848

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daily trips prior to Final Site Plan approval per lot. Monitoring and modeling of traffic conditions needs to occur every two (2) years after this BPUD request is approved by the City Commission, regardless if there has been any development within the project. If the monitoring and modeling reports are not submitted to the City every two (2) years as per this Development Agreement, the City will cease issuing building permits or the processing of site plans for development within the project. There is understanding that monitoring and modeling will be used in the determination of what improvements will be required in both phases of the project. The Owner/Developer will be responsible for paying for independent peer review of the monitoring and modeling reports.

Public transportation and other multimodal methods shall be accommodated consistent with the City's Codes of Ordinances. The transportation elements of this agreement, including the daily trip end limitation set forth herein, the amount of trip ends generated per project, etc. shall be submitted as development review material to be analyzed in the site plan review process regardless if a project is projected to generate less than 1,000 daily trip ends per day.

Finally, the intersection of SR 472-Howland Blvd./Graves Ave. will need to be improved in a timely and uniform manner. The following improvements are required of the Owner/Developer to accomplish as per the specific traffic thresholds articulated below:

- 1) SR 472 at the SR 472/Graves Av. intersection eastbound direction: Install dual left turn lanes, 24 feet in width, with 200 feet of storage and 100 feet of transition when the cumulative development program reaches 5,000 ADT or when the project development program generates 200 peak hour left turn movements at the intersection.
- 2) Howland Blvd. at the Howland Blvd. /Graves Av. intersection westbound direction: Install one right turn lane, 12 feet in width, storage and transition to be symmetrical with the left

Page 11

turn lane from Howland Blvd. to Graves Av. when the cumulative development program reaches 2,000 ADT or when the project development program generates 75 peak hour right turn movements at the intersection.

- 3) Graves Av. at the Graves Av. /Howland Blvd. intersection southbound direction: install a right turn lane, 12 feet wide, with 200 feet of storage and 100 feet of transition when the cumulative development program reaches 2,000 ADT or when the development program generates 75 peak hour right-turn movements at the intersection.
- 4) Graves Av. at the Graves Av. /Howland Blvd. intersection southbound direction: install dual left turn lanes, 24 feet in width, with 200 feet of storage and 100 feet of transition when the cumulative development program reaches 5,000 ADT or when the development program generates 200 peak hour left turn movements at the intersection.

16. Access. Access to the property, internal and external, shall comply with City Codes. No access to the property from Howland Blvd. /SR 472 shall be allowed westward of the Graves Ave./Howland Blvd. intersection in keeping with the Interstate 4 limited access right of way. In addition, there shall be one (1) emergency vehicular access point provided to the residential neighborhood at Tealwood Terrace right of way that is a stabilized base to support at minimum 32 tons and is no more than 20 feet wide. To encourage multi-modal transportation the Owner/Developer shall construct bicycle/pedestrian access to the Timbercrest and Arbor Ridge neighborhoods at east property line of the Development.

The bicycle/pedestrian accesses shall be constructed before any site plan approvals are issued within the east 800' of the Development property.

17. Notices. Where notice is herein required to be given, it shall be by certified mail return receipt requested, addressee only, hand delivery or couriered. Said notice shall be sent to the following, as applicable:

OWNER/DEVELOPER'S REPRESENTATIVES:

William E. Barfield, PA
225 South Westmont Avenue, Suite 2040
Altamonte Springs, Florida 32714

CITY'S REPRESENTATIVES:

Joyce Raftery, CMC, City Clerk
City of Deltona
2345 Providence Boulevard
Deltona, Florida 32725

Gretchen R. H. (Becky) Vose, Esq., City Attorney
City of Deltona
2345 Providence Boulevard
Deltona, Florida 32725

Should any party identified above change, it shall be said party's obligation to notify the remaining parties of the change in a fashion as is required for notices herein. It shall be the Owner/Developer's obligation to identify its lender(s) to all parties in a fashion as is required for notices herein.

18. Captions. The captions used herein are for convenience only and shall not be relied upon in construing this Agreement.

19. Binding Effect. This Agreement shall run with the land, shall be binding upon and inure to the benefit of the Owner/Developer and its assigns and successors in interest, and the City and its assigns and successors in interest. The Owner/Developer agrees to pay the cost of recording this document in the Public Records of Volusia County, Florida, and shall reimburse the

Page 13

City for the preparation of this Agreement in such amount to be determined by the City. This Agreement does not, and is not intended to, prevent or impede the City from exercising its legislative authority as the same may affect the Subject Property.

20. Severability. If any part of this Development Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not affect the other parts of this Development Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be affected. To that end, this Development Agreement is declared severable.

Remainder of this page intentionally left blank.

IN WITNESS WHEREOF, the Owner/Developer and the City have executed this Agreement as of the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF OWNER/DEVELOPER:

Signature of Witness # 1

Print or type name

Signature of Witness #2

Print or Type Name

BY:

Signature

Print or type name

AS:

Print or type

ATTEST:

Signature

Print or Type Name

AS:

Mailing Address: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 201__, by _____, and _____, respectively, of _____, who is/are personally known to me or who has/have produced _____ identification and who did not (did) take an oath.

Signature

(NOTARY SEAL)

Print or type name

ACCEPTED FOR THE CITY OF DELTONA:

By:

John C. Masiarczyk, Sr., Mayor

Date: _____

ATTEST:

Joyce Raftery, CMC, City Clerk

Date _____

Mailing Address: City of Deltona
2345 Providence Boulevard
Deltona, Florida, 32725

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2014, by _____, who are personally known to me and acknowledge executing the same freely and voluntarily under authority vested in them and that the seal affixed thereto is the true and corporate seal of the City of Deltona, Florida.

Signature of Notary

(NOTARY SEAL)

Print or type name

Approved as to form and legality for use and reliance by the City of Deltona, Florida

GRETCHEN R.H. VOSE, City Attorney

**CURRENT OWNER:
TRAFALGAR HOLDINGS, LLC.**

By: _____
Printed name: _____
Title: _____

Signature of Witness # 1

Print or type name

Signature of Witness #2

Print or type name

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2014, by _____, of TRAFALGAR HOLDINGS, LLC, who is personally known to me or who has/have produced _____ as identification and who did not (did) take an oath.

Signature of Notary

(NOTARY SEAL)

Print or type name:

This instrument approved by:

Gretchen R. H. Vose, City Attorney
as to form and legality for use and
reliance by the City of Deltona.

This instrument prepared by:

City of Deltona
Department of Planning & Development Services
2345 Providence Boulevard
Deltona, Florida 32725

EXHIBIT "A"
LEGAL DESCRIPTION

EXHIBIT "B"
MASTER DEVELOPMENT PLAN

EXHIBIT “C”**LIST OF PERMITTED USES****Permitted Uses for Area A:**

1. Adult family-care home.
2. Antique shops.
3. Art, dance, modeling, and music schools.
4. Artist studios.
5. Assisted living facility.
6. Automobile body and repair shops associated with car dealerships.
7. Automobile new parts, equipment and accessories; sales only.
8. Automobile rental agencies associated with car dealerships.
9. Automobile sales, new and used.
10. Automobile service stations, type A and C; permitted only on building sites with not less than 150 feet frontage on all abutting streets.
11. Bakeries, retail (including preparation of products for sale on the premises).
12. Banks and other financial businesses.
13. Barber and beauty shop.
14. Bicycle stores.
15. Bowling alleys.
16. Bus stations.
17. Catering services.
18. Cigar stores.
19. Confectionery and ice cream stores.
20. Conservatories.
21. Convenience stores.
22. Cultural, historical, and art centers and museums.
23. Day care centers.
24. Dental offices, clinics, and laboratories.

25. Diagnostic imaging centers.
26. Drug and sundry stores.
27. Dry cleaning establishments.
28. Electronic sales.
29. Essential utility services.
30. Excavations only for stormwater retention ponds, subject to applicable permitting requirements.
31. Exempt excavations.
32. Fire stations.
33. Florist shops.
34. Funeral homes.
35. Furniture stores.
36. General, professional, and business offices.
37. Grocery stores.
38. Hardware stores (retail only).
39. Hospitals (shall be limited to Lot 12 on the MDP).
40. Houses of worship ancillary to primary uses.
41. Interior decorating, costuming, draperies.
42. Jewelry stores, watch repairs.
43. Libraries.
44. Medical offices and clinics.
45. Motels and hotels.
46. Non-profit membership and charitable organizations.
47. Paint stores.
48. Pest exterminators.
49. Pet stores.
50. Photograph galleries.
51. Physical fitness centers.
52. Police and sheriff stations.

53. Printing and engraving, including photo-stating and publishing.
54. Professional or trade schools related to permitted uses.
55. Publicly owned parks and recreational areas.
56. Radio and television broadcasting stations (Related towers or antennae must be consistent with Chapter 82 of the City Code).
57. Restaurants, types A and B.
58. Retail sales and services.
59. Schools, parochial or private.
60. Surgery centers.
61. Tailor shops.
62. Taxicab stands.
63. Theaters.
64. Travel agencies.
65. Utility offices.
66. Veterinary clinics without outside kennels, runs, etc.

Permitted Uses for Area B:

- 1) Adult family-care home.
- 2) Art, dance, modeling and music schools.
- 3) Artist studio.
- 4) Assisted Living Facilities.
- 5) Bakeries (retail only).
- 6) Barber and beauty shops.
- 7) Bicycle stores.
- 8) Cigar stores.
- 9) Coffee shops.
- 10) Convenience stores.
- 11) Confectionary and ice cream stores.
- 12) Day care center.

- 13) Dental offices, clinics and laboratories.
- 14) Diagnostic and imaging centers.
- 15) Electronic shops
- 16) Essential utilities.
- 17) Excavation only for stormwater retention ponds subject to applicable permitting requirements.
- 18) Exempt excavations.
- 19) Florist shops.
- 20) Funeral Homes, without cremation activities.
- 21) General, professional and business office.
- 22) Jewelry stores.
- 23) Medical offices and clinics.
- 24) Non-profit membership and charitable organizations.
- 25) Physical fitness center.
- 26) Publically owned parks and recreation areas.
- 27) Restaurants, type A.
- 28) Schools parochial/private.
- 29) Taxicab stands.
- 30) Travel agencies.
- 31) Utility office.
- 32) Veterinary clinics without outside kennels, runs, etc.

Prohibited land uses for both primary parcel and outparcels include:

- Sale of fireworks
- Carnival, fairs and circuses
- Outdoor storage; except for temporary storage at main buildings in areas designed for that purpose and screened from view from on or off site
- Tattoo parlors
- Industrial land uses
- Adult entertainment
- Game rooms
- Any operations primarily used as warehouses, excluding uses incidental to retail operations
- Manufacturing, mining or processing facilities
- Recycling or waste transfer facilities
- Central laundry or dry cleaning plants
- Any establishment selling drug paraphernalia
- Massage parlors
- Pawn shops
- Flea markets
- Junk Yards
- Any gambling establishments
- Pool or billiard parlors
- Amusement parks or skating rinks
- Dance, music halls, or night clubs (excluding restaurants which also have dancing as an ancillary use)
- Psychic, Tarot card reading, fortune telling or similar activities
- Bail bondsmen
- Bargain retail stores
- Crematoriums
- Animal shelters or kennels
- Jails
- Guyed or lattice towers
- Agricultural, nursery, or greenhouses



*Halifax Crossings BPUD Transportation Impact Analysis
Transportation Impact Analysis Review
City of Deltona, Florida*

MEMORANDUM

Date: June 11, 2014 **DRMP Project #:** 09-0857.008

To: Mr. Chris Bowley, AICP
Planning and Development Services Director
City of Deltona
2345 Providence Boulevard
Deltona, Florida 32725

Review By: Lisa Lanman, AICP & Melissa Gross, EI
DRMP, Inc.
941 Baldwin Lane
Orlando, Florida 32814

As requested by the City, DRMP has reviewed the Transportation Impact Analysis provided by the applicant that corresponds to the Halifax Crossings BPUD provided by the City on May 13, 2014. The following narrative provides further input regarding DRMP's recommendations for further information.

Comment Number	Section/ Page Number	Comment
1	Introduction	Please include a figure depicting the proposed site plan and access at the Howland Blvd/E. Graves Ave intersection, with the proposed site access intersection geometry.
2	Figure 1, pg.2	Please include I-4 ramps on this graphic. The figure does not show project access as indicated in the text.
3	Study Area, pg.3	Study area intersections: Please include the Saxon Blvd/Normandy Blvd intersection in the analysis. It has been indicated by the City of Deltona to be an important intersection in the city.
4	Study Area, Table 2, pg.4	Please include following roadway segments in the study area. <ul style="list-style-type: none"> • Catalina Blvd from Wolf Pack to Howland Blvd • Wolf Pack Run from Catalina Blvd to Howland Blvd • Normandy Blvd from Elkcam Blvd to Saxon Blvd
5	Existing Conditions	Please include a figure depicting the existing intersection geometries of all study area intersections.

Comment Number	Section/ Page Number	Comment
6	Existing Conditions	General Comment: The reviewer suggests including information on existing pedestrian & bicycle facilities, and any transit service in the study area, with route and schedule information included in the Appendix.
7	Existing Roadway Conditions, Table 3, pg. 7	Please include the unadjusted MSV and / or if the corridor is a County of State facility the adjusted MSV per the FDOT Generalized LOS Manual.
8	Existing Intersection Conditions, pg.9	Please cite the source for the LOS "E" standard for intersection operations addressed after Table 4.
9	Future Conditions, pg.10	Approved/Planned Development Traffic: Please include a discussion on any planned and approved development related traffic in the study area and include these numbers in you 2020 Future Year analysis. For instance there is a Race Track Gas station near completion and the Deltona Village trip generation volumes should be included in the 2020 Background volumes.
10	Trip Generation, pg.11	Internal Capture: Please include discussion on internal capture. The maximum allowable by Volusia County is 20%. Internal capture worksheets in Appendix G appear to show internal capture rates above the allowable 20%.
11	Trip Generation, pg.11	Passer-by Capture: Please include discussion on passer-by trip generation, how it was calculated, and a figure identifying these trips separately. A maximum passer-by rate of 14% is allowable for commercial land uses only as per the Volusia County standards.
12	Trip Distribution and Assignment, pg.11	The reviewer suggests including a figure to illustrate the proposed development trip distribution percentages and net external volumes at study area intersections.
13	Trip Distribution and Assignment	General Comment: Are any development generated trips distributed to Wolf Pack Run or Catalina Blvd south of Howland Blvd?
14	Yr 2020 Roadway Capacity Analysis	The reviewer suggests including a figure that illustrates volumes at the study area intersection to show background + passer-by + new external trips = future intersection volumes.
15	Yr 2020 Intersection Conditions, pg.18	2 nd Sentence: The reviewer suggests inserting the word "for" between "elimination" and "the."

Comment Number	Section/ Page Number	Comment
16	Appendix B	Volusia County 2013 Average Annual Daily Traffic & Historical Counts: Please use landscape orientation on 11x17 size page to make the information more legible. Please highlight study area roadways for easy reference.
17	Appendix D	Please include the timing diagram on all Synchro reports.
18	Appendix D	2020 Future AM and PM Synchro Reports for Providence Blvd/Howland Blvd: Please check intersection volume inputs, it appears that NB/SB & WB/EB volumes appear to be reversed.
19	Appendix D	The 2020 AM Peak Hour Synchro Report for Wolf Pack Run is missing the cross street name on the title at the top of the page.
20	Appendix D	2020 AM E. Graves Ave/Howland Blvd Synchro Report: NB and SB should be run with split phasing

At the request of the City of Deltona staff, DRMP has analyzed some of the critical and near critical roadways and intersections in the study area, and developed a list of potential improvement suggestions. While the deficiencies found within the study area are considered “pre-existing” by Florida legislation and are not a direct result of the Phase I traffic, the proposed development will add traffic volume to these facilities and cause additional degradation. The following mitigation strategy suggestions are intended to help offset the additional degradation caused by the proposed development for the Phase I construction. The table below lists these suggested improvement strategies to be further investigated and evaluated.

Roadway/Intersection	Potential Improvement Strategy
SR 472/MLK (W. Volusia Bltwy)	<ul style="list-style-type: none"> Channelized WB right turn with receiving lane Changing existing NB & SB LT lane into a dedicated left turn and a dedicated thru lane.
Howland Blvd/I-4 NB Ramps	Note: This intersection will not fail in 2020, however is an important intersection providing access to I-4. A change in cycle length to 124 seconds is suggested to yield LOS C.
Howland Blvd/E. Graves Ave	<ul style="list-style-type: none"> Add a third eastbound through lane on Howland Blvd. with a receiving lane for 800 feet Add second westbound left turn lane on Howland Blvd.
Howland Blvd/Catalina Blvd	Intersection Geometry Improvements: Potential additional SB Right Turn Lane. Note: The addition of a SBRTL will bring the intersection to LOS D with no movement less than D.
Howland Blvd. from Providence Blvd. to Elkcam Blvd.	Consider widening this section of Howland Blvd from 2 to 4 lanes for consistency with 4-lane sections of Howland Blvd. to the north and south.

It should be noted that while the Phase II 2025 Future conditions were only provided for reference and the developer is not seeking concurrency for this phase at this time, there are roadway LOS failures caused by the Phase II projected traffic in 2025. Further discussion with the City of Deltona regarding potential mitigation requirements will be required when seeking concurrency for Phase II of the proposed development. These potential suggestion listed above are only intended to provide a basis for further discussion between the developer and the City/County.

DRMP appreciates the opportunity to support the City of Deltona on this project. Please contact Lisa Lanman at llanman@drmp.com if you have any questions or wish to discuss further.



Volusia County
Traffic Engineering

Project Name: Halifax Crossings BPUD
Subject: TIA Comments
Date: 07-29-14

1. Page 4, Table 2: Providence Blvd's status is near-critical as opposed to critical.
2. Figure 2: Study Area Roadways and Intersections: The map does not depict all the segments and intersections that were analyzed in the TIA. There are several critical and near-critical segments that are missing.
3. Tables 6 and 7: Traffic counts used in the analysis vary from those in the Volusia County Traffic Engineering count spreadsheet, especially on Howland Blvd and Martin Luther King Blvd. Please see the attached table that depicts the differences, and explain why counts vary so much.
4. Table 4, Intersection Analysis: 1) Rerun the analysis of SR 472/I-4 SB ramps using correct planning; i.e., leading WB left turn and not lagging WB left turn. 2) Rerun the analysis of Howland/Providence using correct directions/volumes and phasing. The volumes don't match TMCs direction.
5. Page 13, Alternative Mode Analysis: 1) How will the development allow connectivity between all outparcels and the medical center? 2) Please coordinate with Votran's Transit Friendly Guidelines, contact Heather Blank at 386-756-7496. System users of all types will have travel needs to the site. The development should be prepared to address alternative mode access ease, especially considering there will be a higher percentage of disabled persons traveling to the site.
6. Build out dates: The proposed buildout dates for Phases 1 and 2 are 2020 and 2025. Please confirm with the city and developer that the buildout for Phase I is 6 years from now and not before.
7. Page 14, Programmed improvements: 1) Saxon Blvd is currently under construction for 6 lanes and should be reflected as a programmed improvement in the area. 2) Deltona Village: Deltona Village has more improvements than the one described. Please list all improvements that will occur over the next 3 years.
8. Page 15: How was Deltona Village's growth accounted for in the analysis?
9. Page 22 & 23, Growth Rates:
 - a. I-4 (Saxon Blvd to SR 472) and (SR 472 to Orange Camp Road): We did not see documentation provided to support a 4.3% growth rate.
 - b. Catalina: Howland to Wolf Pack was not provided. Also, Trends analysis shows 6.3% growth rate between Howland and Sixma.
 - c. Howland Blvd (Providence to Elkcam): Trends shows -0.7%; therefore, growth rate should be 1.0%.
 - d. Saxon Blvd: FDOT Park and Ride to I-4, Trends shows 1.9%.
 - e. Veterans Memorial Parkway: We did not see documentation for the 4.4% growth rate. Only the segment between Graves and Rhode Island was provided and that was 1.9%.

Please redo the growth rate computation for segments that either have no supporting documentation or those that used the wrong growth rate percentage.
10. Page 22 & 23, Saxon Blvd: Please revise to show Saxon Blvd as 6 lanes.
11. Page 24, Table 8: 1) SR 472/I-4 SB ramps – Any lead/lag changes need to be approved by FDOT. 2) Refer to comments on Table 4.
12. Page 32: 2020 comments carry over to the 2025 analysis.



Volusia County
Traffic Engineering

13. Conclusions and Recommendations: 2020/2025 analyses need to be redone prior to making any conclusions.
14. The analysis shows that there are several segments that are over capacity in 2020 and 2025. Although, in the development phase, the project would not have to address the existing deficient roads and intersections deficiencies due to current legislation, this project is in the rezoning stage and not the development stage. As such, the analysis proves that there is insufficient capacity on various road segments and intersections to handle the additional trips brought forth by the respective rezoning application. It will be up to the developer to address this rezoning issue with the City of Deltona for purposes of approving the rezoning/BPUD application.
15. Since the project generates over 5,000 trips per day, please coordinate with FDOT. Attn: Judy Pizzo, Planning Project Manager, ISD, FDOT District V, DeLand, FL 32720.



GMB ENGINEERS & PLANNERS, INC.

August 11, 2014

Volusia County Traffic Engineering
 123 W. Indiana Ave.
 DeLand, FL 32720-4262

RE: Response to Comments
Halifax Medical Center, Deltona
TIA Methodology Comments
GMB Project # 14-017.01

The following are GMB Engineers & Planners responses to comments received on the above-mentioned project:

Comments by: Volusia County Traffic Engineering
Dated: 07-29-14

1. Page 4. Table 2: Providence Blvd's status is near-critical as opposed to critical.

Response: Table 2 has been corrected.

2. Figure 2: Study Area Roadways and Intersections: The map does not depict all the segments and intersections that were analyzed in the TIA. There are several critical and near-critical segments that are missing.

Response: Missing segments have been added to Figure 2.

3. Tables 6 and 7: Traffic counts used in the analysis vary from those in the Volusia County Traffic Engineering count spreadsheet, especially on Howland Blvd and Martin Luther King Blvd. Please see the attached table that depicts the differences, and explain why counts vary so much.

Response: The traffic counts depicted in Tables 6 and 7 represent data collected from TMC's at intersections respective to associated roadway segments. The TMCs were derived from video and verified for accuracy. The AM condition retains data collected from the TMCs to represent roadway segment volumes. The PM condition is revised to represent the latest Volusia County count data.

GMB Orlando

2602 E. Livingston St.
 Orlando, FL 32803
 Office: 407.898.5424
 Fax: 407.898.5425

4. Table 4, Intersection Analysis: 1) Rerun the analysis of SR 472/I-4 SB ramps using correct planning; i.e., leading WB left turn and not lagging WB left turn. 2) Rerun the analysis of Howland/Providence using correct directions/volumes and phasing. The volumes don't match TMCs direction.

Response: 1) The SR 472/I-4 SB Ramps has been revised to emulate the existing westbound left turn lead phase for existing and future conditions. The revised SYNCHRO analysis is provided. 2) The analysis has been revised to represent the correct directionality for volumes at the intersection for the existing and future analysis. The revised SYNCHRO analysis is provided.

5. Page 13, Alternative Mode Analysis: 1) How will the development allow connectivity between all outparcels and the medical center? 2) Please coordinate with Votran's Transit Friendly Guidelines, contact Heather Blank at 386-756-7496. System users of all types will have travel needs to the site. The development should be prepared to address alternative mode access ease, especially considering there will be a higher percentage of disabled persons traveling to the site.

Response: 1) The applicant will address all connectivity issues during the site plan approval process. 2) The applicant will coordinate with Votran Staff regarding possible solutions for bus stop availability and convenience during the site plan approval process.

6. Build out dates: The proposed buildout dates for Phases 1 and 2 are 2020 and 2025. Please confirm with the city and developer that the buildout for Phase I is 6 years from now and not before.

Response: After discussions with the applicant, the anticipated time frame to construct all of Phase 1 is retained as specified in the analysis.

7. Page 14, Programmed improvements: 1) Saxon Blvd is currently under construction for 6 lanes and should be reflected as a programmed improvement in the area. 2) Deltona Village: Deltona Village has more improvements than the one described. Please list all improvements that will occur over the next 3 years.

Response: 1) Saxon Boulevard has been revised in the analysis to reflect the six laning from Enterprise Road to I-4. 2) At the present moment Deltona Village has not contributed to the turn lane improvement provided in the analysis at Graves Road and Howland Boulevard and will therefore be removed from the future analysis. The revised SYNCHRO analysis is provided. At this time Deltona Village has not sought vesting for their Phase 1 project and subsequent improvements associated with Phase 1 construction will not be included in the analysis. Furthermore, additional future phase improvements will not be included. Only the vested 96,000

square foot of development will be included in future analysis of which approximately 51,000 square feet of theatre and 5,000 square feet of convenience store are already accounted for in the existing conditions.

8. Page 15: How was Deltona Village's growth accounted for in the analysis?

Response: Please see above. The remainder of the 96,000 square foot of vested or committed development does not exceed the one (1) percent background growth accounted for in the future analysis.

9. Page 22 & 23, Growth Rates:

a. I-4 (Saxon Blvd to SR 472) and (SR 472 to Orange Camp Road): We did not see documentation provided to support a 4.3% growth rate.

Response: Trends analysis is provided.

b. Catalina: Howland to Wolf Pack was not provided. Also, Trends analysis shows 6.3% growth rate between Howland and Sixma.

Response: Trends analysis is provided. Trends analysis has been revised.

c. Howland Blvd (Providence to Elkcam): Trends shows -0.7%; therefore, growth rate should be 1.0%.

Response: Growth Rate has been revised.

d. Saxon Blvd: FDOT Park and Ride to I-4, Trends shows 1.9%.

Response: Growth Rate has been revised.

e. Veterans Memorial Parkway: We did not see documentation for the 4.4% growth rate. Only the segment between Graves and Rhode Island was provided and that was 1.9%.

Response: Trends analysis is provided.

Please redo the growth rate computation for segments that either have no supporting documentation or those that used the wrong growth rate percentage.

Response: Noted

10. Page 22 & 23, Saxon Blvd: Please revise to show Saxon Blvd as 6 lanes.

Response: Saxon Boulevard has been revised in the analysis.

11. Page 24, Table 8: 1) SR 472/I-4 SB ramps – Any lead/lag changes

*Halifax Medical Center
Response to Methodology Comments – Volusia County
August 11, 2014
Page 4 of 4*

need to be approved by FDOT. 2) Refer to comments on Table 4.

Response: 1) Noted. 2) Table 4 has been revised in the analysis.

12. Page 32: 2020 comments carry over to the 2025 analysis.

Response: 2025 analysis has been revised accordingly and is provided.

13. Conclusions and Recommendations: 2020/2025 analyses need to be redone prior to making any conclusions.

Response: The revised Conclusions and Recommendations are provided.

14. The analysis shows that there are several segments that are over capacity in 2020 and 2025. Although, in the development phase, the project would not have to address the existing deficient roads and intersections deficiencies due to current legislation, this project is in the rezoning stage and not the development stage. As such, the analysis proves that there is insufficient capacity on various road segments and intersections to handle the additional trips brought forth by the respective rezoning application. It will be up to the developer to address this rezoning issue with the City of Deltona for purposes of approving the rezoning/BPUD application.

Response: Rezoning is defined as development approval. The current legislation still applies.

15. Since the project generates over 5,000 trips per day, please coordinate with FDOT. Attn: Judy Pizzo, Planning Project Manager, ISD, FDOT District V, DeLand, FL 32720.

Response: Coordination with FDOT staff will occur throughout the approval process.

If you have any questions or concerns, please do not hesitate to contact me at (407) 898-5424.

Regards,
GMB Engineers & Planners, Inc.



Karl Krichbaum,
Project Manager



In addition, Table 2 depicts the study area roadways based on the criteria for study impact area:

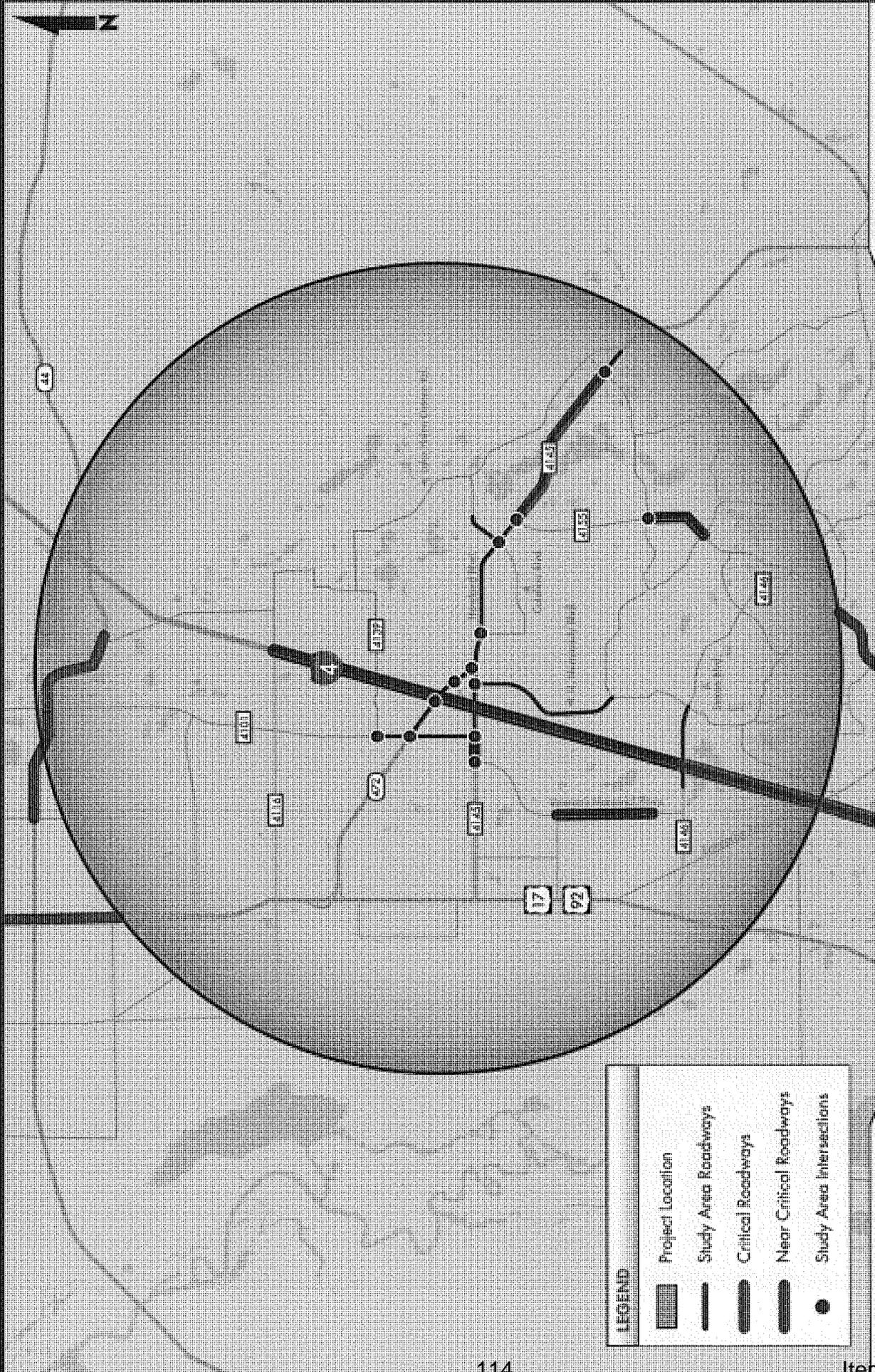
(Revised) Table 2 - Study Area Roadways

Roadway	From / To	Critical / Near Critical
I-4	Dirksen Dr. to Saxon Blvd.	Critical
	Saxon Blvd. to SR 472	Near Critical
	SR 472 to Orange Camp Rd.	Near Critical
SR 472	MLK Blvd to I-4 (end of state road)	
Catalina Blvd	Howland Blvd. to Sixma Rd.	
Graves Av / CR 4145	Veteran's Memorial Pkwy. to Kentucky Ave.	Near Critical
	Kentucky Ave. to Howland Blvd.	
Howland Blvd	I-4/SR 472 to Project Entrance / E. Graves Ave	
	Project Entrance / E. Graves Ave to Wolf Pack Run	
	Wolf Pack Run to Catalina Blvd.	
	Catalina Blvd. to Providence Blvd.	
	Providence Blvd. to Elkcam Blvd.	Critical
	Elkcam Blvd. to Lake Helen-Osteen Rd.	
Normandy Blvd	Graves (old Howland) to Rhode Island Ave	
	Rhode Island Ave to Elkcam Blvd.	
Providence Blvd.	Elkcam Blvd. to Ft Smith Blvd.	Near Critical
Saxon Blvd.	VMP to FDOT Park & Ride	Near Critical
	FDOT Park & Ride to I-4	Near Critical
	I-4 to Finland Dr.	Near Critical
	Finland Dr. to Normandy Blvd.	Near Critical
W. Volusia Bltwy (MLK)	Cassadaga Rd. to SR 472	
	SR 472 to Graves Ave	
W. Volusia Bltwy (VMP)	Rhode Island Ave. to Harley Strickland Blvd.	Near Critical

Study area roadways and intersections are illustrated in Figure 2.

EXISTING TRAFFIC COUNTS

GMB Engineers & Planners assembled the necessary traffic counts for the intersections identified in the study area. The existing AM peak hour (7:00-9:00) & PM peak hour (4:00-6:00) traffic volumes were conducted during the month of February 2014.



PROJECT NUMBER: 14-017-01

FIGURE 2
Study Area Roadways & Intersections

Halifax Crossings BPUD

DATE CREATED: 4/25/2014

LEGEND

- Project Location
- Study Area Roadways
- Critical Roadways
- Near Critical Roadways
- Study Area Intersections

Table 3
 Halifax Crossings BPUD
 Existing AM & PM Peak Hour Roadway Analysis
 (Revised 8-5-14)

Roadway	Station #	No. of Lanes	Critical / Near-Critical	Level of Service		Two Way AM PKHR		Two Way PM PKHR	
				Adopted LOS	Adjusted MSV	Two-way Traffic	LOS	Two-way Traffic	LOS
I-4									
Dirksen Dr. to Saxon Blvd.	9906	6	Critical	C	8,370	8,368	C	8,676	D
Saxon Blvd. to SR 472	1003	6	Near Critical	C	8,370	6,333	C	7,965	C
SR 472 to Orange Camp Rd.	485	6	Near Critical	C	8,370	5,576	C	6,930	C
SR 472									
MLK Blvd to I-4 (end of state road)	535	4		D	3,580	2,262	C	2,160	C
Catalina Blvd									
Howland Blvd. to Sixma Rd.	DLT-20.02	2		E	1,020	957	D	1,006	E
Graves Av / CR 4145									
Veteran's Memorial Pkwy. to Kentucky Ave.	775	2	Near Critical	E	1,620	1,200	C	1,528	C
Kentucky Ave. to Howland Blvd.	900	2		E	1,620	952	C	1,167	C
Howland Blvd									
I-4/SR 472 to Project Entrance / E. Graves Ave	901	4		E	3,410	2,233	C	2,473	C
Project Entrance / E. Graves Ave to Wolf Pack Run	901	4		E	3,410	2,771	C	2,473	C
Wolf Pack Run to Catalina Blvd	903	4		E	3,410	2,348	C	2,443	C
Catalina Blvd. to Providence Blvd.	905	4		E	3,410	1,713	C	1,806	C
Providence Blvd. to Elkcam Blvd.	906	2	Critical	E	1,230	1,223	D	1,364	F
Elkcam Blvd. to Lake Helen-Osteen Rd.	908	4		E	3,410	1,039	C	1,280	C
Normandy Blvd									
Graves (old Howland) to Rhode Island Ave.	DLT-105	2		E	1,230	712	C	648	C
Rhode Island Ave. to Elkcam Blvd.	DLT-105	4		E	2,740	694	C	627	C
Providence Blvd.									
Elkcam Blvd. to Ft. Smith Blvd.	1541	2	Near Critical	E	1,020	865	D	1,176	F
Saxon Blvd.									
VMP to FDOT Park & Ride	1674	6		E	5,390	1,565	C	3,270	C
FDOT Park & Ride to I-4	1685	6		E	5,390	1,565	C	3,280	C
I-4 to Finland Dr.	1675	4	Near Critical	E	3,410	2,832	C	3,098	C
Finland Dr. to Normandy Blvd.	1676	4	Near Critical	E	3,410	2,546	C	2,924	C
W. Volusia Bldwy (Dr. MLK Jr)									
Cassadaga Rd. to SR 472	1940	2		E	1,540	902	C	1,135	C
SR 472 to Graves Ave	1030	2		E	1,540	684	C	951	C
W. Volusia Bldwy (Veteran's Memorial)									
Rhode Island Ave. to Harley Strickland Blvd.	1901	2	Near Critical	E	1,540	978	C	1,620	F

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Source:
 GMB Engineers & Planners, Inc.
 Year 2013 City of Deltona Traffic Count Report
 Volusia County 2013 Average Annual Daily Traffic & Historical Counts
 FDOT Florida Traffic Online (2013)

EXISTING INTERSECTION CONDITIONS

The study area intersections were evaluated using the methodology outlined in the Highway Capacity Manual and using SYNCHRO (v9). The existing intersection analyses is based on turning movement data collected in the month of February 2014, during the AM (7:00-9:00) and PM (4:00-6:00) peak hour periods. Furthermore, the existing intersection signal timings were obtained from Volusia County (see Appendix "C"). Table 4 provides a summary of the existing intersection analysis, including intersection delay and LOS:

Table 4 - YR 2014 Existing Intersection Analysis

(Revised) YR 2014 Intersection Analysis					
Intersection	Control	AM peak hour		PM peak hour	
		LOS	Delay (sec/veh)	LOS	Delay (sec/veh)
SR 472 at MLK (W. Volusia Bltwy)	Signal	D	48.5	E	67.8
SR 472 at I-4 SB Ramps	Signal	B	17.5	C	27.8
Howland Blvd at I-4 NB Ramps	Signal	C	20.1	D	47.6
Howland Blvd at E. Graves Ave	Signal	B	19.0	D	50.9
Howland Blvd at Wolf Pack Run	Signal	C	20.0	B	16.9
Howland Blvd at Catalina Blvd	Signal	E	55.1	D	37.6
Howland Blvd at Providence Blvd	Signal	C	23.3	C	34.5
Howland Blvd at Elkcam Blvd	Signal	C	24.8	C	28.1
E. Graves Ave at Normandy Blvd	Signal	B	13.0	B	14.0
E. Graves Ave at MLK (Kentucky Ave)	Signal	C	25.6	D	35.1
E. Graves Ave at Veterans Memorial Pkwy	Signal	B	16.4	B	19.5
MLK (W. Volusia Bltwy) at Cassadaga Rd	Stop	C	23.3	C	22.8
Normandy Blvd at Elkcam Blvd	Signal	B	19.3	B	13.0

As shown in Table 4, all study area intersections operate at the allowable LOS "E" or better for the existing conditions with the exception of the intersection of Howland Blvd at Providence Blvd, which is operating below acceptable LOS in the PM peak hour condition. SYNCHRO summary sheets can be found in Appendix "D", and the intersections analysis summary can be found in Appendix "E".

Table 6
Halifax Crossings BPUD
Phase I - Future (YR 2020) AM Peak Hour Roadway Analysis
(Revised B-5-14)

Roadway	No. of Lanes	Critical / Near-Critical	Level of Service		Existing AM PK	Growth Rate	Background Traffic		YR 2020 Project Traffic		Total Traffic	LOS	Project Deficiency? Y/N
			Adopted LOS	Adjusted MSV			AM PK	Total	Trips	Dis%			
I-4													
Dirksen Dr. to Saxon Blvd.	6	Critical	C	8,370	8,368 **	1.0%	8,870	8,870	56	5.46%	8,926	D	No
Saxon Blvd. to SR 472	6	Near Critical	C	8,370	6,333 **	4.3%	7,968	7,968	81	8.03%	8,049	C	No
SR 472 to Orange Camp Rd.	6	Near Critical	C	8,370	5,576 **	4.3%	7,015	7,015	62	6.19%	7,077	C	No
SR 472													
MLK Blvd to I-4 (end of state road)	4		D	3,580	2,262	1.0%	2,398	2,398	360	35.63%	2,758	C	No
Catalina Blvd													
Howland Blvd. to Sixma Rd.	2		E	1,020	957 *	9.3%	1,490	1,490	64	6.33%	1,554	F	No
Graves Av / CR 4145													
Veteran's Memorial Pkwy. to Kentucky Ave.	2	Near Critical	E	1,620	1,200	1.0%	1,272	1,272	119	11.79%	1,391	C	No
Kentucky Ave. to Howland Blvd.	2		E	1,620	952	1.0%	1,009	1,009	379	37.43%	1,388	C	No
Howland Blvd													
I-4/SR 472 to Project Entrance / E. Graves Ave	4		E	3,410	2,233	1.0%	2,366	2,366	360	35.63%	2,726	C	No
Project Entrance / E. Graves Ave to Wolf Pack Run	4		E	3,410	2,771	1.0%	2,938	2,938	273	26.95%	3,211	C	No
Wolf Pack Run to Catalina Blvd	4		E	3,410	2,348	1.0%	2,489	2,489	257	25.38%	2,746	C	No
Catalina Blvd. to Providence Blvd.	4		E	3,410	1,713	1.0%	1,816	1,816	152	15.09%	1,968	C	No
Providence Blvd. to Elkcam Blvd.	2	Critical	E	1,230	1,223	1.7%	1,347	1,347	91	9.05%	1,438	F	No
Elkcam Blvd. to Lake Helen-Osteen Rd.	4		E	3,410	1,039	1.0%	1,101	1,101	56	5.55%	1,157	C	No
Normandy Blvd													
Graves (old Howland) to Rhode Island Ave.	2		E	1,230	712 *	1.0%	755	755	175	17.22%	930	C	No
Rhode Island Ave. to Elkcam Blvd.	4		E	2,740	694 *	1.0%	736	736	160	15.78%	896	C	No
Providence Blvd.													
Elkcam Blvd. to Ft Smith Blvd.	2	Near Critical	E	1,020	865	1.0%	916	916	51	5.04%	967	E	No
Saxon Blvd.													
VMP to FDOT Park & Ride	6		E	5,390	1,565 **	1.0%	1,658	1,658	32	3.08%	1,690	C	No
FDOT Park & Ride to I-4	6		E	5,390	1,565 **	1.0%	1,658	1,658	28	2.74%	1,686	C	No
I-4 to Finland Dr.	4	Near Critical	E	3,410	2,832	1.0%	3,002	3,002	40	3.96%	3,042	C	No
Finland Dr. to Normandy Blvd.	4	Near Critical	E	3,410	2,546	1.0%	2,699	2,699	38	3.76%	2,737	C	No
W. Volusia Bldwy (Dr MILK Jr)													
Cassadaga Rd. to SR 472	2		E	1,540	902	1.0%	956	956	93	9.16%	1,049	C	No
SR 472 to Graves Ave	2		E	1,540	684	1.0%	725	725	73	7.16%	798	C	No
W. Volusia Bldwy (Veteran's Memorial)													
Rhode Island Ave. to Harley Strickland Blvd.	2	Near Critical	E	1,540	978	4.4%	1,236	1,236	46	4.55%	1,282	C	No

Source: GMB Engineers & Planners, Inc. Year 2013 City of Deltona Traffic Count Report FDOT Florida Traffic Online (2013)

Notes: Existing AM peak traffic volumes are obtained from the turning movements counts conducted by GMB during the month of February & April 2014. * AM peak traffic volumes obtained from the Year 2013 City of Deltona Raw Traffic Counts ** AM peak traffic volumes obtained from the FDOT Traffic Online (2013) Synopsis Reports

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Table 7
Halifax Crossings BPUD
Phase I - Future (YR 2020) PM Peak Hour Roadway Analysis
(Revised 8-5-14)

Roadway	No. of Lanes	Critical / Near-Critical	Level of Service		Existing PM PK Two Way	Growth Rate	Background Traffic		YR 2020 Project Traffic		Total Traffic	LOS	Project Deficiency? Y/N
			Adopted LOS	Adjusted MSV			Background Total	Background LOS	Background Deficiency? Y/N	Trips			
I-4													
Dirksen Dr. to Saxon Blvd.	6	Critical	C	8,370	8,676 *	1.0%	9,283	D	***	50	9,333	D	No
Saxon Blvd. to SR 472	6	Near Critical	C	8,370	7,965 *	4.3%	10,362	E	***	75	10,437	E	No
SR 472 to Orange Camp Rd.	6	Near Critical	C	8,370	6,930 *	4.3%	9,016	D	***	57	9,073	D	No
SR 472													
MLK Blvd to I-4 (end of state road)	4		D	3,580	2,160 *	1.0%	2,311	C	No	332	2,643	C	No
Catalina Blvd													
Howland Blvd. to Sixma Rd.	2		E	1,020	1,006 **	9.3%	1,661	F	Yes	59	1,720	F	No
Graves Av / CR 4145													
Veteran's Memorial Pkwy. to Kentucky Ave.	2	Near Critical	E	1,620	1,528	1.0%	1,635	F	Yes	110	1,745	F	No
Kentucky Ave. to Howland Blvd.	2		E	1,620	1,066	1.0%	1,141	C	No	348	1,489	C	No
Howland Blvd													
I-4/SR 472 to Project Entrance / E. Graves Ave	4		E	3,410	2,237	1.0%	2,994	C	No	332	2,726	C	No
Project Entrance / E. Graves Ave to Wolf Pack Run	4		E	3,410	2,925	1.0%	3,130	C	No	251	3,381	D	No
Wolf Pack Run to Catalina Blvd	4		E	3,410	2,443	1.0%	2,614	C	No	237	2,851	C	No
Catalina Blvd. to Providence Blvd.	4		E	3,410	2,139	1.0%	2,289	C	No	141	2,430	C	No
Providence Blvd. to Elkcam Blvd.	2	Critical	E	1,230	1,834	1.7%	2,052	F	Yes	84	2,136	F	No
Elkcam Blvd. to Lake Helen-Osteen Rd.	4		E	3,410	1,191	1.0%	1,274	C	No	52	1,326	C	No
Normandy Blvd													
Graves (old Howland) to Rhode Island Ave.	2		E	1,230	648	1.0%	693	C	No	160	853	C	No
Rhode Island Ave. to Elkcam Blvd.	4		E	2,740	627 **	1.0%	671	C	No	146	817	C	No
Providence Blvd.													
Elkcam Blvd. to Ft Smith Blvd.	2	Near Critical	E	1,020	1,176 *	1.0%	1,259	F	Yes	47	1,306	F	No
Saxon Blvd.													
VMP to FDOT Park & Ride	6		E	5,390	3,270 *	1.0%	3,499	C	No	29	3,528	C	No
FDOT Park & Ride to I-4	6		E	5,390	3,280 *	1.0%	3,509	C	No	25	3,534	C	No
I-4 to Finland Dr.	4	Near Critical	E	3,410	3,098	1.0%	3,315	D	No	36	3,351	D	No
Finland Dr. to Normandy Blvd.	4	Near Critical	E	3,410	2,924	1.0%	3,129	C	No	35	3,164	C	No
W. Volusia Bitwy (Dr MLK Jr)													
Cassadaga Rd. to SR 472	2		E	1,540	1,135	1.0%	1,214	C	No	85	1,299	C	No
SR 472 to Graves Ave	2		E	1,540	951	1.0%	1,018	C	No	67	1,085	C	No
W. Volusia Bitwy (Veteran's Memorial)													
Rhode Island Ave. to Harley Strickland Blvd.	2	Near Critical	E	1,540	1,620	4.4%	2,119	F	Yes	42	2,161	F	No

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Source:
GMB Engineers & Planners, Inc.
Year 2013 City of Deltona Traffic Count Report
Volusia County 2013 Average Annual Daily Traffic & Historical Counts
FDOT Florida Traffic Online (2013)

Notes:
Existing PM peak traffic volumes are obtained from the latest Volusia County Count Data
**Two-way PM peak hour traffic was calculated by multiplying AADT obtained from the Volusia County 2013 Average Annual Daily Traffic & Historical Counts by Standard K factor (K=0.09)
** Standard K factor Values for City roadways were calculated from the Year 2013 City of Deltona Traffic Count Report

YR 2020 INTERSECTION CONDITIONS

The study area intersections were evaluated with the addition of project traffic in order to quantify the impacts created by the proposed development. The intersections were grown at their respective rate per year and project traffic was added to reflect YR 2020 future conditions for both the AM and PM peak hours. The intersection analysis summary can be found in Appendix "E" of this report. Table 8 summarizes the results of the intersection capacity analysis:

Table 8 - YR 2020 Intersection Analysis

(Revised) Phase-I YR 2020 Intersections Analysis					
Intersection	Control	AM peak hour		PM peak hour	
		LOS	Delay (sec/veh)	LOS	Delay (sec/veh)
SR 472 at MLK (W. Volusia Bltwy)	Signal	E	78.1	E	70.2
SR 472 at I-4 SB Ramps	Signal	C	31.2	C	24.4
Howland at I-4 NB Ramps	Signal	E	56.0	D	51.5
Howland Blvd at E. Graves Ave	Signal	E	70.7	E	76.1
Howland Blvd at Wolf Pack Run	Signal	C	22.0	B	18.5
Howland Blvd at Catalina Blvd	Signal	F	164.1/190.0	E	55.6
Howland Blvd at Providence Blvd	Signal	C	33.6	C	27.5
Howland Blvd at Elkcam Blvd	Signal	C	24.3	C	28.6
E. Graves Ave at Normandy Blvd	Signal	B	14.3	B	18.4
E. Graves Ave at MLK (Kentucky Ave)	Signal	C	28.3	D	35.3
E. Graves Ave at Veterans Memorial Pkwy	Signal	B	19.7	C	27.4
MLK (W. Volusia Bltwy) at Cassadaga Rd	Stop	C	24.3	D	26.4
Normandy Blvd at Elkcam Blvd	Signal	C	21.8	B	12.8

* Optimized Split Time

As shown in Table 9, all study area intersections are anticipated to operate at the allowable LOS "E" or better for the for the YR 2020 with the exception of the intersection of Howland Blvd at Providence Blvd, which is operating below acceptable LOS for the PM peak hour. It should be noted that during the PM peak hour, the intersection of Howland Blvd at Providence Blvd is operating below allowable LOS in the existing conditions, without the project generated from the Halifax Crossings

Table 12
 Halifax Crossings BPUD
 Build-Out - Future (YR 2025) PM Peak Hour Roadway Analysis
 (Revised 8-5-2014)

Roadway	No. of Lanes	Critical / Near-Critical	Level of Service		Existing PM PK Two Way	Growth Rate	Background Traffic		YR 2025 Project Traffic		Background Deficiency? Y/N	LOS	Total Traffic	Project Deficiency? Y/N
			Adopted LOS	Adjusted LOS			MSV	Total	LOS	Trips				
I-4 Dirksen Dr. to Saxon Blvd. Saxon Blvd. to SR 472 SR 472 to Orange Camp Rd.	6	Critical	C	8,370	8,676	1.00%	9,197	D	83	5.46%	Yes	9,280	No	
	6	Near Critical	C	8,370	7,965	4.30%	10,020	D	123	8.03%	Yes	10,143	No	
	6	Near Critical	C	8,370	6,930	4.30%	8,718	D	94	6.19%	Yes	8,812	No	
SR 472 MLX Blvd to I-4 (end of state road)	4		D	3,580	2,160	1.00%	2,290	C	543	35.63%	No	2,833	No	
Catalina Blvd Howland Blvd. to Sixma Rd.	2		E	1,020	1,006	1.00%	1,067	F	97	6.33%	Yes	1,164	No	
	2	Near Critical	E	812	1,528	1.00%	1,620	F	180	11.79%	Yes	1,800	No	
Graves Av / CR 4145 Veteran's Memorial Pkwy to Kentucky Ave. Kentucky Ave. to Howland Blvd.	2		E	1,620	1,167	1.00%	1,237	C	570	37.43%	No	1,807	Yes	
	4		E	3,410	2,473	1.00%	2,621	C	543	35.63%	No	3,164	No	
Howland Blvd I-4/SR 472 to Project Entrance / E. Graves Ave Project Entrance / E. Graves Ave to Wolf Pack Run Wolf Pack Run to Catalina Blvd Catalina Blvd. to Providence Blvd. Providence Blvd. to Elkcam Blvd. Elkcam Blvd. to Lake Helen-Osteen Rd.	4		E	3,410	2,473	1.00%	2,621	C	543	35.63%	No	3,164	No	
	4		E	3,410	2,473	1.00%	2,621	C	411	26.95%	No	3,032	No	
	4		E	3,410	2,443	1.00%	2,590	C	386	25.38%	No	2,976	No	
	4		E	3,410	1,806	1.00%	1,914	C	230	15.09%	No	2,144	No	
	2	Critical	E	1,230	1,364	1.70%	1,503	F	138	9.05%	Yes	1,641	No	
Normandy Blvd Graves (old Howland) to Rhode Island Ave. Rhode Island Ave. to Elkcam Blvd. Elkcam Blvd. to Saxon Blvd.	4		E	3,410	1,280	1.00%	1,357	C	85	5.55%	No	1,442	No	
	2		E	1,230	648	1.00%	687	C	262	17.22%	No	949	No	
	4		E	2,740	627	1.00%	665	C	240	15.78%	No	905	No	
	4		E	2,740	678	1.00%	718	C	191	12.50%	No	909	No	
Providence Blvd. Howland Blvd. to Elkcam Blvd. Elkcam Blvd. to Ft Smith Blvd.	2		E	1,270	1,016	1.00%	1,077	D	91	6.03%	No	1,168	No	
	2	Near Critical	E	1,020	1,176	1.00%	1,247	F	77	5.04%	Yes	1,324	No	
Saxon Blvd. VMP to FDOT Park & Ride FDOT Park & Ride to I-4 I-4 to Finland Dr. Finland Dr. to Normandy Blvd.	6		E	5,390	3,270	1.00%	3,466	C	47	3.08%	No	3,513	No	
	6		E	5,390	3,280	1.00%	3,476	C	42	2.74%	No	3,518	No	
	4	Near Critical	E	3,410	3,098	1.00%	3,284	D	60	3.96%	No	3,344	No	
	4	Near Critical	E	3,410	2,924	1.00%	3,100	C	57	3.76%	No	3,157	No	
W. Volusia Bldwy (Dr MLK Jr) Orange Camp Rd. to Cassadaga Rd. Cassadaga Rd. to SR 472 SR 472 to Graves Ave	2		E	1,540	929	1.00%	985	C	108	7.07%	No	1,093	No	
	2		E	1,540	976	1.00%	1,035	C	140	9.16%	No	1,175	No	
	2		E	1,540	815	1.00%	864	C	110	7.16%	No	974	No	
	2		E	1,620	1,396	3.80%	1,714	F	106	6.95%	Yes	1,820	No	
W. Volusia Bldwy (Veteran's Memorial) Graves Ave. to Rhode Island Ave. Rhode Island Ave. to Harley Strickland Blvd.	2		E	1,540	1,620	4.40%	2,048	F	69	4.55%	Yes	2,117	No	
	2	Near Critical	E	1,540	1,620	4.40%	2,048	F	69	4.55%	Yes	2,117	No	

August-14

Source:
 GMB Engineers & Planners, Inc.
 Year 2013 City of Deltona Traffic Count Report
 Volusia County 2013 Average Annual Daily Traffic & Historical Counts
 FDOT Florida Traffic Online (2013)

Table 11
 Halifax Crossings BPUD
 Build-Out - Future (YR 2025) AM Peak Hour Roadway Analysis
 (Revised 8-5-2014)

Roadway	No. of Lanes	Critical / Near-Critical	Level of Service		Existing AM PK	Growth Rate	Background Traffic		Background Deficiency? Y/N	YR 2025 Project Traffic		Total Traffic	LOS	Project Deficiency? Y/N
			Adopted	Adjusted			AM PK	Total		Trips	Dis%			
I-4 Dirksen Dr. to Saxon Blvd. Saxon Blvd. to SR 472 SR 472 to Orange Camp Rd.	6	Critical	C	8,370	8,368	1.00%	9,289	9,289	Yes	89	5.46%	9,378	D	No
	6	Near Critical	C	8,370	6,333	4.30%	9,329	9,329	Yes	131	8.03%	9,460	D	No
	6	Near Critical	C	8,370	5,576	4.30%	8,214	8,214	No	101	6.19%	8,315	C	No
SR 472 MLK Blvd to I-4 (end of state road)	4		D	3,580	2,262	1.00%	2,511	2,511	No	580	35.63%	3,091	C	No
Catalina Blvd Howland Blvd. to Sikma Rd.	2		E	1,020	957	1.00%	1,062	1,062	Yes	103	6.33%	1,165	F	No
Graves Av / CR 4145 Veteran's Memorial Pkwy. to Kentucky Ave. Kentucky Ave. to Howland Blvd.	2 2	Near Critical	E E	8 1,620	1,200 952	1.00% 1.00%	1,332 1,056	1,332 1,056	No No	191 609	11.79% 37.43%	1,523 1,665	C F	No Yes
Howland Blvd I-4/SR 472 to Project Entrance / E. Graves Ave Project Entrance / E. Graves Ave to Wolf Pack Run Wolf Pack Run to Catalina Blvd Catalina Blvd. to Providence Blvd. Providence Blvd. to Elkcam Blvd. Elkcam Blvd. to Lake Helen-Osteen Rd.	4 4 4 4 2 4		E E E E E E	3,410 3,410 3,410 3,410 1,230 3,410	2,233 2,771 2,348 1,713 1,223 1,039	1.00% 1.00% 1.00% 1.00% 1.70% 1.00%	2,478 3,076 2,607 1,901 1,451 1,153	2,478 3,076 2,607 1,901 1,451 1,153	No No No No Yes No	580 439 413 246 148 91	35.63% 26.95% 25.38% 15.09% 9.05% 5.55%	3,058 3,515 3,020 2,147 1,599 1,244	C F C C F C	No Yes No No No No
Normandy Blvd Graves (old Howland) to Rhode Island Ave. Rhode Island Ave. to Elkcam Blvd. Elkcam Blvd. to Saxon Blvd.	2 4 4		E E E	1,230 2,740 2,740	712 694 591	1.00% 1.00% 1.00%	790 770 656	790 770 656	No No No	281 257 204	17.22% 15.78% 12.50%	1,071 1,027 860	C C C	No No No
Providence Blvd. Howland Blvd. to Elkcam Blvd. Elkcam Blvd. to Ft. Smith Blvd.	2 2	Near Critical	E E	1,270 1,020	553 865	1.00% 1.00%	614 960	614 960	No No	98 82	6.03% 5.04%	712 1,042	D F	No Yes
Saxon Blvd. VMP to FDOT Park & Ride FDOT Park & Ride to I-4 I-4 to Finland Dr. Finland Dr. to Normandy Blvd.	6 6 4 4		E E E E	5,390 5,390 3,410 3,410	1,565 1,565 2,832 2,546	1.00% 1.00% 1.00% 1.00%	1,737 1,737 3,144 2,826	1,737 1,737 3,144 2,826	No No No No	50 45 65 61	3.08% 2.74% 3.96% 3.76%	1,787 1,782 3,209 2,887	C C C C	No No No No
W. Volusia Bldwy (Dr MLK Jr) Orange Camp Rd. to Cassadaga Rd. Cassadaga Rd. to SR 472 SR 472 to Graves Ave	2 2 2		E E E	1,540 1,540 1,540	825 902 684	1.00% 1.00% 1.00%	915 1,001 759	915 1,001 759	No No No	115 149 117	7.07% 9.16% 7.16%	1,030 1,150 876	C C C	No No No
W. Volusia Bldwy (Veteran's Memorial) Graves Ave. to Rhode Island Ave. Rhode Island Ave. to Harley Strickland Blvd.	2 2	Near Critical	E E	1,620 1,540	1,112 978	3.80% 4.40%	1,576 1,451	1,576 1,451	No No	113 74	6.95% 4.55%	1,689 1,525	F D	Yes No

August-14

Source:
 GMB Engineers & Planners, Inc.
 Year 2013 City of Daytona Traffic Count Report
 FDOT Florida Traffic Online (2013)

PHASE-I: FUTURE YR 2020 CONDITIONS

- The analysis concludes that all study area roadways exhibit traffic volumes lower than their respective maximum roadway capacities for the AM & PM peak hours for the YR 2020 with the exception of following roadway segments:

AM peak hour:

- I-4 from Dirksen Dr. to Saxon Blvd.
- Catalina Blvd. from Howland Blvd. to Sixma Rd.
- Howland Blvd. from Providence Blvd. to Elkcam Blvd.

PM peak hour:

- I-4 from Dirksen Dr. to Saxon Blvd.
- I-4 from Saxon Blvd to SR 472
- I-4 from SR 472 to Orange Camp Rd
- Catalina Blvd. from Howland Blvd. to Sixma Rd.
- Graves Ave. from Veteran's Memorial Pkwy to Kentucky Ave.
- Howland Blvd. from Providence Blvd. to Elkcam Blvd.
- Providence Blvd. from Elkcam Blvd. to Ft. Smith Blvd.
- W. Volusia Bltwy (VMP) from Rhode Island Ave. to Harley Strickland Blvd.

The deficient roadway segments listed above operating below their respective maximum service volumes for the YR 2020, are deficient either in the existing conditions or due to background traffic growth, without adding the Halifax Crossings BPUD project trips. Based on the Florida legislation found in Chapter No. 2011-139 (H.B. 7207), effective June 2, 2011, the identified deficient roadways and intersections are considered a pre-existing transportation deficiency. Therefore, consistent with this legislation, the proposed

development should not be required to contribute towards the cost of elimination the pre-existing deficiency.

- The analysis concludes that all study area intersections are anticipated to operate at an acceptable overall level of service for the YR 2020 during both AM & PM peak hours, with the exception of the intersection of Howland Blvd at Catalina Blvd, which is operating below acceptable LOS "E" for the AM peak hour. It should be noted that the intersection of Howland Blvd at Providence Blvd is deficient in the YR 2014 background conditions, without the addition of the Halifax Crossings BPUD project trips.
- The existing signal head configuration at Graves Avenue and Howland Boulevard does not provide an eastbound left turn protected maneuver. A three (3) section head is required to be installed for the operation of the intersection to operate acceptably. In addition, there are sidewalks present on the north side of the intersection. Although there are pedestrian features installed on the span wire signal poles the crosswalk has been eradicated. Installation of new crosswalk striping will be require to achieve appropriate standards for safe access for pedestrian movements.

RECOMMENDATION:

- As demonstrated in the analysis the applicant seeks concurrency for impacts related to construction of Phase 1 development. It is recommended that a monitoring and modeling (M&M) study is conducted prior to execution of vested rights for further subsequent phases of the development. The M&M will be utilized to provide appropriate trip rates as it relates to future development. Future development is subject to parameters

brought forth by City and County guidelines and requirements for concurrency approval.

- The applicant is responsible for construction of one (1) three (3) section signal head for the eastbound left turn movement at the project entrance. The signal timing sequence is necessary to provide operation of the intersection to operate acceptably for the 2020 future condition. In addition, crosswalk striping shall be provided for connection of the existing sidewalks.
- Based on the above conclusions and recommendations, GMB respectfully requests traffic concurrency approval for Phase-I of the proposed Halifax Crossings BPUD.

Existing AM peak hour
50: I-4 SB Ramps & SR 472

8/6/2014



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↑	↑	↑↑					↑↑		↑
Volume (vph)	0	423	640	783	1115	0	0	0	0	110	0	84
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0	4.0	7.0	7.0					7.5		7.5
Lane Util. Factor		0.95	1.00	1.00	0.95					0.97		1.00
Fr _t		1.00	0.85	1.00	1.00					1.00		0.85
Fit Protected		1.00	1.00	0.95	1.00					0.95		1.00
Satd. Flow (prot)		3539	1583	1770	3539					3433		1583
Fit Permitted		1.00	1.00	0.95	1.00					0.95		1.00
Satd. Flow (perm)		3539	1583	1770	3539					3433		1583
Peak-hour factor, PHF	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Adj. Flow (vph)	0	465	703	860	1225	0	0	0	0	121	0	92
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	85
Lane Group Flow (vph)	0	465	703	860	1225	0	0	0	0	121	0	7
Turn Type		NA	Free	Prot	NA					Prot		Prot
Protected Phases		6		5	2					8		8
Permitted Phases			Free									
Actuated Green, G (s)		26.8	140.0	81.4	115.2					10.3		10.3
Effective Green, g (s)		26.8	140.0	81.4	115.2					10.3		10.3
Actuated g/C Ratio		0.19	1.00	0.58	0.82					0.07		0.07
Clearance Time (s)		7.0		7.0	7.0					7.5		7.5
Vehicle Extension (s)		3.0		3.0	3.0					3.0		3.0
Lane Grp Cap (vph)		677	1583	1029	2912					252		116
v/s Ratio Prot		c0.13		c0.49	0.35					0.04		0.00
v/s Ratio Perm			c0.44									
v/c Ratio		0.69	0.44	0.84	0.42					0.48		0.06
Uniform Delay, d ₁		52.7	0.0	23.9	3.4					62.3		60.3
Progression Factor		0.97	1.00	0.68	0.65					1.00		1.00
Incremental Delay, d ₂		4.8	0.8	4.3	0.3					1.4		0.2
Delay (s)		56.1	0.8	20.6	2.5					63.7		60.5
Level of Service		E	A	C	A					E		E
Approach Delay (s)		22.8			10.0			0.0			62.4	
Approach LOS		C			A			A			E	

Intersection Summary

HCM 2000 Control Delay	17.5	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.80		
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	21.5
Intersection Capacity Utilization	75.9%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

Existing PM peak hour
50: SR 472 & I-4 SB Ramps

8/6/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↑	↑	↑↑					↑↑		↑
Volume (vph)	0	651	589	271	874	0	0	0	0	312	0	165
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0	4.0	7.0	7.0					7.5		7.5
Lane Util. Factor		0.95	1.00	1.00	0.95					0.97		1.00
Frt		1.00	0.85	1.00	1.00					1.00		0.85
Flt Protected		1.00	1.00	0.95	1.00					0.95		1.00
Satd. Flow (prot)		3539	1583	1770	3539					3433		1583
Flt Permitted		1.00	1.00	0.95	1.00					0.95		1.00
Satd. Flow (perm)		3539	1583	1770	3539					3433		1583
Peak-hour factor, PHF	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	0	678	614	282	910	0	0	0	0	325	0	172
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	150
Lane Group Flow (vph)	0	678	614	282	910	0	0	0	0	325	0	22
Turn Type		NA	Free	Prot	NA					Prot		Prot
Protected Phases		6		5	2					8		8
Permitted Phases			Free									
Actuated Green, G (s)		79.9	150.0	29.1	116.0					19.5		19.5
Effective Green, g (s)		79.9	150.0	29.1	116.0					19.5		19.5
Actuated g/C Ratio		0.53	1.00	0.19	0.77					0.13		0.13
Clearance Time (s)		7.0		7.0	7.0					7.5		7.5
Vehicle Extension (s)		3.0		3.0	3.0					3.0		3.0
Lane Grp Cap (vph)		1885	1583	343	2736					446		205
v/s Ratio Prot		0.19		c0.16	0.26					c0.09		0.01
v/s Ratio Perm			c0.39									
v/c Ratio		0.36	0.39	0.82	0.33					0.73		0.11
Uniform Delay, d1		20.3	0.0	58.0	5.2					62.7		57.6
Progression Factor		1.50	1.00	1.05	1.87					1.00		1.00
Incremental Delay, d2		0.4	0.5	11.2	0.2					5.9		0.2
Delay (s)		30.8	0.5	72.0	9.9					68.6		57.8
Level of Service		C	A	E	A					E		E
Approach Delay (s)		16.4			24.6			0.0			64.9	
Approach LOS		B			C			A			E	
Intersection Summary												
HCM 2000 Control Delay			27.8			HCM 2000 Level of Service				C		
HCM 2000 Volume to Capacity ratio			0.56									
Actuated Cycle Length (s)			150.0			Sum of lost time (s)			21.5			
Intersection Capacity Utilization			56.9%			ICU Level of Service			B			
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 AM peak hour
50: I-4 SB Ramps & SR 472

8/6/2014

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↑	↘	↑↑					↘↘	0	↘
Volume (vph)	0	650	679	830	1247	0	0	0	0	148	0	89
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0	4.0	7.0	7.0					7.5		7.5
Lane Util. Factor		0.95	1.00	1.00	0.95					0.97		1.00
Fr't		1.00	0.85	1.00	1.00					1.00		0.85
Flt Protected		1.00	1.00	0.95	1.00					0.95		1.00
Satd. Flow (prot)		3539	1583	1770	3539					3433		1583
Flt Permitted		1.00	1.00	0.95	1.00					0.95		1.00
Satd. Flow (perm)		3539	1583	1770	3539					3433		1583
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	0	684	715	874	1313	0	0	0	0	156	0	94
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	87
Lane Group Flow (vph)	0	684	715	874	1313	0	0	0	0	156	0	7
Turn Type		NA	Free	Prot	NA					Prot		Prot
Protected Phases		6		5	2					8		8
Permitted Phases			Free									
Actuated Green, G (s)		36.6	140.0	72.0	115.6					9.9		9.9
Effective Green, g (s)		36.6	140.0	72.0	115.6					9.9		9.9
Actuated g/C Ratio		0.26	1.00	0.51	0.83					0.07		0.07
Clearance Time (s)		7.0		7.0	7.0					7.5		7.5
Vehicle Extension (s)		3.0		3.0	3.0					3.0		3.0
Lane Grp Cap (vph)		925	1583	910	2922					242		111
v/s Ratio Prot		c0.19		c0.49	0.37					0.05		0.00
v/s Ratio Perm			c0.45									
v/c Ratio		0.74	0.45	0.96	0.45					0.64		0.06
Uniform Delay, d1		47.3	0.0	32.6	3.4					63.3		60.7
Progression Factor		1.58	1.00	1.38	1.58					1.00		1.00
Incremental Delay, d2		3.4	0.6	3.4	0.0					5.8		0.2
Delay (s)		78.1	0.6	48.4	5.4					69.1		60.9
Level of Service		E	A	D	A					E		E
Approach Delay (s)		38.5			22.6			0.0			66.0	
Approach LOS		D			C			A			E	
Intersection Summary												
HCM 2000 Control Delay			31.2		HCM 2000 Level of Service					C		
HCM 2000 Volume to Capacity ratio			0.88									
Actuated Cycle Length (s)			140.0		Sum of lost time (s)			21.5				
Intersection Capacity Utilization			83.2%		ICU Level of Service			E				
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 PM peak hour
50: I-4 SB Ramps & SR 472

PM Future IMP

8/6/2014

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↑	↑	↑↑					↑↑		↑	
Volume (vph)	0	760	624	287	1103	0	0	0	0	342	0	175	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	
Total Lost time (s)		7.0	4.0	7.0	7.0					7.5		7.5	
Lane Util. Factor		0.95	1.00	1.00	0.95					0.97		1.00	
Frt		1.00	0.85	1.00	1.00					1.00		0.85	
Flt Protected		1.00	1.00	0.95	1.00					0.95		1.00	
Satd. Flow (prot)		3539	1583	1770	3539					3433		1583	
Flt Permitted		1.00	1.00	0.95	1.00					0.95		1.00	
Satd. Flow (perm)		3539	1583	1770	3539					3433		1583	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	
Adj. Flow (vph)	0	800	657	302	1161	0	0	0	0	360	0	184	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	101	
Lane Group Flow (vph)	0	800	657	302	1161	0	0	0	0	360	0	83	
Turn Type		NA	Free	Prot	NA					Prot		Prot	
Protected Phases		6		5	2					8		8	
Permitted Phases			Free										
Actuated Green, G (s)		76.8	150.0	30.7	114.5					21.0		21.0	
Effective Green, g (s)		76.8	150.0	30.7	114.5					21.0		21.0	
Actuated g/C Ratio		0.51	1.00	0.20	0.76					0.14		0.14	
Clearance Time (s)		7.0		7.0	7.0					7.5		7.5	
Vehicle Extension (s)		3.0		3.0	3.0					3.0		3.0	
Lane Grp Cap (vph)		1811	1583	362	2701					480		221	
v/s Ratio Prot		0.23		c0.17	0.33					c0.10		0.05	
v/s Ratio Perm			c0.41										
v/c Ratio		0.44	0.42	0.83	0.43					0.75		0.38	
Uniform Delay, d1		23.1	0.0	57.2	6.3					62.0		58.6	
Progression Factor		0.92	1.00	1.01	1.45					1.00		1.00	
Incremental Delay, d2		0.6	0.6	8.5	0.3					6.5		1.1	
Delay (s)		21.9	0.6	66.5	9.4					68.5		59.6	
Level of Service		C	A	E	A					E		E	
Approach Delay (s)		12.3			21.1			0.0			65.5		
Approach LOS		B			C			A			E		
Intersection Summary													
HCM 2000 Control Delay			24.4		HCM 2000 Level of Service						C		
HCM 2000 Volume to Capacity ratio			0.59										
Actuated Cycle Length (s)			150.0		Sum of lost time (s)					21.5			
Intersection Capacity Utilization			61.7%		ICU Level of Service					B			
Analysis Period (min)			15										
c Critical Lane Group													

Existing AM peak hour
46: Providence Blvd. & Howland Blvd

8/6/2014

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations													
Volume (vph)	4	292	316	84	797	1	298	1	48	1	0	5	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	
Total Lost time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00		
Frt	1.00	1.00	0.85	1.00	1.00		1.00	0.85			0.89		
Fit Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00			0.99		
Satd. Flow (prot)	1770	1863	1583	1770	1862		1770	1589			1640		
Fit Permitted	0.25	1.00	1.00	0.41	1.00		0.54	1.00			1.00		
Satd. Flow (perm)	458	1863	1583	773	1862		1007	1589			1653		
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	
Adj. Flow (vph)	4	307	333	88	839	1	314	1	51	1	0	5	
RTOR Reduction (vph)	0	0	213	0	0	0	0	39	0	0	6	0	
Lane Group Flow (vph)	4	307	120	88	840	0	314	13	0	0	0	0	
Turn Type	Perm	NA	Perm	pm+pt	NA		pm+pt	NA		Perm	NA		
Protected Phases		6		5	2		7	4			8		
Permitted Phases	6		6	2			4			8			
Actuated Green, G (s)	22.1	22.1	22.1	33.1	33.1		14.6	14.6			0.9		
Effective Green, g (s)	22.1	22.1	22.1	33.1	33.1		14.6	14.6			0.9		
Actuated g/C Ratio	0.36	0.36	0.36	0.54	0.54		0.24	0.24			0.01		
Clearance Time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5		
Vehicle Extension (s)	4.0	4.0	4.0	3.0	4.0		3.0	3.0			3.0		
Lane Grp Cap (vph)	165	672	571	483	1007		329	379			24		
v/s Ratio Prot		0.16		0.01	c0.45		c0.11	0.01					
v/s Ratio Perm	0.01		0.08	0.09			c0.12				0.00		
v/c Ratio	0.02	0.46	0.21	0.18	0.83		0.95	0.03			0.00		
Uniform Delay, d1	12.6	15.0	13.5	7.4	11.8		22.5	17.9			29.7		
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00		
Incremental Delay, d2	0.1	0.7	0.3	0.2	6.3		37.4	0.0			0.1		
Delay (s)	12.7	15.6	13.8	7.5	18.1		59.9	17.9			29.8		
Level of Service	B	B	B	A	B		E	B			C		
Approach Delay (s)		14.7			17.1			53.9			29.8		
Approach LOS		B			B			D			C		
Intersection Summary													
HCM 2000 Control Delay			23.3		HCM 2000 Level of Service						C		
HCM 2000 Volume to Capacity ratio			1.17										
Actuated Cycle Length (s)			61.2		Sum of lost time (s)					27.0			
Intersection Capacity Utilization			91.4%		ICU Level of Service					F			
Analysis Period (min)			15										
c Critical Lane Group													

Existing PM peak hour
46: Providence Blvd. & Howland Blvd

8/6/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	10	754	358	47	457	0	249	1	58	2	0	6
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Frt	1.00	1.00	0.85	1.00	1.00		1.00	0.85			0.90	
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00			0.99	
Satd. Flow (prot)	1770	1863	1583	1770	1863		1770	1588			1649	
Flt Permitted	0.48	1.00	1.00	0.11	1.00		0.53	1.00			1.00	
Satd. Flow (perm)	897	1863	1583	209	1863		980	1588			1667	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	11	820	389	51	497	0	271	1	63	2	0	7
RTOR Reduction (vph)	0	0	157	0	0	0	0	49	0	0	9	0
Lane Group Flow (vph)	11	820	232	51	497	0	271	15	0	0	0	0
Turn Type	Perm	NA	Perm	pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases		6		5	2		7	4			8	
Permitted Phases	6		6	2			4			8		
Actuated Green, G (s)	28.6	28.6	28.6	38.3	38.3		14.4	14.4			1.1	
Effective Green, g (s)	28.6	28.6	28.6	38.3	38.3		14.4	14.4			1.1	
Actuated g/C Ratio	0.43	0.43	0.43	0.58	0.58		0.22	0.22			0.02	
Clearance Time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5	
Vehicle Extension (s)	4.0	4.0	4.0	3.0	4.0		3.0	3.0			3.0	
Lane Grp Cap (vph)	387	804	683	184	1077		294	345			27	
v/s Ratio Prot		c0.44		0.01	c0.27		c0.09	0.01				
v/s Ratio Perm	0.01		0.15	0.15			c0.11				0.00	
v/c Ratio	0.03	1.02	0.34	0.28	0.46		0.92	0.04			0.01	
Uniform Delay, d1	10.8	18.8	12.5	13.7	8.0		24.9	20.5			32.0	
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Incremental Delay, d2	0.0	36.8	0.4	0.8	0.4		32.6	0.1			0.1	
Delay (s)	10.9	55.6	12.9	14.6	8.4		57.6	20.5			32.1	
Level of Service	B	E	B	B	A		E	C			C	
Approach Delay (s)		41.6			9.0			50.5			32.1	
Approach LOS		D			A			D			C	
Intersection Summary												
HCM 2000 Control Delay			34.5			HCM 2000 Level of Service					C	
HCM 2000 Volume to Capacity ratio			1.12									
Actuated Cycle Length (s)			66.2			Sum of lost time (s)		27.0				
Intersection Capacity Utilization			71.4%			ICU Level of Service					C	
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 AM peak hour
46: Providence Blvd & Howland Blvd

8/6/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	4	331	350	59	914	1	362	1	51	1	0	5
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Flt Protected	1.00	1.00	0.85	1.00	1.00		1.00	0.85			0.89	
Flt Permitted	0.95	1.00	1.00	0.95	1.00		0.95	1.00			0.99	
Satd. Flow (prot)	1770	1863	1583	1770	1862		1770	1588			1640	
Satd. Flow (perm)	294	1863	1583	807	1862		993	1588			1653	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	4	348	368	62	962	1	381	1	54	1	0	5
RTOR Reduction (vph)	0	0	188	0	0	0	0	41	0	0	6	0
Lane Group Flow (vph)	4	348	180	62	963	0	381	14	0	0	0	0
Turn Type	Perm	NA	Perm	pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases		6		5	2		7	4			8	
Permitted Phases	6		6	2			4			8		
Actuated Green, G (s)	43.0	43.0	43.0	53.9	53.9		20.5	20.5			1.0	
Effective Green, g (s)	43.0	43.0	43.0	53.9	53.9		20.5	20.5			1.0	
Actuated g/C Ratio	0.49	0.49	0.49	0.61	0.61		0.23	0.23			0.01	
Clearance Time (s)	7.0	7.0	7.0	7.0	7.0		6.5	6.5			6.5	
Vehicle Extension (s)	4.0	4.0	4.0	3.0	4.0		3.0	3.0			3.0	
Lane Grp Cap (vph)	143	911	774	537	1141		346	370			18	
v/s Ratio Prot		0.19		0.01	c0.52		c0.16	0.01				
v/s Ratio Perm	0.01		0.11	0.07			c0.09				0.00	
v/c Ratio	0.03	0.38	0.23	0.12	0.84		1.10	0.04			0.00	
Uniform Delay, d1	11.6	14.1	12.9	7.5	13.6		32.9	26.1			43.0	
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Incremental Delay, d2	0.1	0.4	0.2	0.1	6.1		78.4	0.0			0.1	
Delay (s)	11.7	14.5	13.2	7.6	19.7		111.3	26.1			43.0	
Level of Service	B	B	B	A	B		F	C			D	
Approach Delay (s)		13.8			19.0			100.5			43.0	
Approach LOS		B			B			F			D	
Intersection Summary												
HCM 2000 Control Delay			33.6			HCM 2000 Level of Service		C				
HCM 2000 Volume to Capacity ratio			1.08									
Actuated Cycle Length (s)			87.9			Sum of lost time (s)		27.0				
Intersection Capacity Utilization			87.0%			ICU Level of Service		E				
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 PM peak hour
46: Providence Blvd. & Howland Blvd

PM Future
8/6/2014



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	11	860	420	49	508	0	280	1	61	2	0	6
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0	6.5	7.0	7.0		6.5	6.5			6.5	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Fr _t	1.00	1.00	0.85	1.00	1.00		1.00	0.85			0.90	
Fl _t Protected	0.95	1.00	1.00	0.95	1.00		0.95	1.00			0.99	
Satd. Flow (prot)	1770	1863	1583	1770	1863		1770	1588			1653	
Fl _t Permitted	0.46	1.00	1.00	0.07	1.00		0.51	1.00			1.00	
Satd. Flow (perm)	856	1863	1583	136	1863		943	1588			1674	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	12	905	442	52	535	0	295	1	64	2	0	6
RTOR Reduction (vph)	0	0	114	0	0	0	0	47	0	0	8	0
Lane Group Flow (vph)	12	905	328	52	535	0	295	18	0	0	0	0
Turn Type	Perm	NA	pm+ov	pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases		6	7	5	2		7	4			8	
Permitted Phases	6		6	2			4			8		
Actuated Green, G (s)	70.4	70.4	96.4	82.6	82.6		33.9	33.9			1.4	
Effective Green, g (s)	70.4	70.4	96.4	82.6	82.6		33.9	33.9			1.4	
Actuated g/C Ratio	0.54	0.54	0.74	0.64	0.64		0.26	0.26			0.01	
Clearance Time (s)	7.0	7.0	6.5	7.0	7.0		6.5	6.5			6.5	
Vehicle Extension (s)	4.0	4.0	3.0	3.0	4.0		3.0	3.0			3.0	
Lane Grp Cap (vph)	463	1008	1173	151	1183		411	414			18	
v/s Ratio Prot		c0.49	0.06	0.01	c0.29		c0.14	0.01				
v/s Ratio Perm	0.01		0.15	0.20			c0.04				0.00	
v/c Ratio	0.03	0.90	0.28	0.34	0.45		0.72	0.04			0.00	
Uniform Delay, d1	13.9	26.6	5.5	24.2	12.1		42.7	35.9			63.6	
Progression Factor	1.00	1.00	1.00	1.00	1.00		1.00	1.00			1.00	
Incremental Delay, d2	0.1	12.4	0.1	1.4	1.2		5.9	0.0			0.1	
Delay (s)	14.0	39.0	5.6	25.5	13.4		48.6	36.0			63.7	
Level of Service	B	D	A	C	B		D	D			E	
Approach Delay (s)		27.9			14.5			46.3			63.7	
Approach LOS		C			B			D			E	

Intersection Summary

HCM 2000 Control Delay	27.5	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.88		
Actuated Cycle Length (s)	130.0	Sum of lost time (s)	27.0
Intersection Capacity Utilization	78.7%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

Existing AM peak hour
15: E. Graves Ave. & SR 472

8/7/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	470	33	404	1578	4	162	2	313	2	0	5
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		7.0		7.0	7.0		7.5	7.5	4.0	7.0		7.0
Lane Util. Factor		0.95		1.00	0.95		0.95	0.95	1.00	1.00		1.00
Fr _t		0.99		1.00	1.00		1.00	1.00	0.85	1.00		0.85
Fl _t Protected		1.00		0.95	1.00		0.95	0.95	1.00	0.95		1.00
Satd. Flow (prot)		3505		1770	3538		1681	1687	1583	1770		1583
Fl _t Permitted		1.00		0.95	1.00		0.95	0.95	1.00	0.95		1.00
Satd. Flow (perm)		3505		1770	3538		1681	1687	1583	1770		1583
Peak-hour factor, PHF	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Adj. Flow (vph)	0	516	36	444	1734	4	178	2	344	2	0	5
RTOR Reduction (vph)	0	3	0	0	0	0	0	0	0	0	0	5
Lane Group Flow (vph)	0	549	0	444	1738	0	91	89	344	2	0	0
Turn Type	Perm	NA		Prot	NA		Split	NA	Free	Split		Perm
Protected Phases		6		5	2		4	4		8		8
Permitted Phases	6								Free			8
Actuated Green, G (s)		57.1		40.2	104.3		12.9	12.9	140.0	1.3		1.3
Effective Green, g (s)		57.1		40.2	104.3		12.9	12.9	140.0	1.3		1.3
Actuated g/C Ratio		0.41		0.29	0.74		0.09	0.09	1.00	0.01		0.01
Clearance Time (s)		7.0		7.0	7.0		7.5	7.5		7.0		7.0
Vehicle Extension (s)		3.0		3.0	3.0		3.0	3.0		3.0		3.0
Lane Grp Cap (vph)		1429		508	2635		154	155	1583	16		14
v/s Ratio Prot		0.16		c0.25	c0.49		c0.05	0.05		0.00		
v/s Ratio Perm									c0.22			0.00
v/c Ratio		0.38		0.87	0.66		0.59	0.57	0.22	0.12		0.00
Uniform Delay, d ₁		29.1		47.5	8.9		61.0	60.9	0.0	68.8		68.7
Progression Factor		0.43		1.10	0.72		1.00	1.00	1.00	1.00		1.00
Incremental Delay, d ₂		0.2		13.8	1.2		6.0	5.1	0.3	3.5		0.1
Delay (s)		12.6		65.9	7.6		67.0	66.0	0.3	72.3		68.8
Level of Service		B		E	A		E	E	A	E		E
Approach Delay (s)		12.6			19.4			23.0			69.8	
Approach LOS		B			B			C			E	
Intersection Summary												
HCM 2000 Control Delay			19.0			HCM 2000 Level of Service			B			
HCM 2000 Volume to Capacity ratio			0.75									
Actuated Cycle Length (s)			140.0			Sum of lost time (s)			28.5			
Intersection Capacity Utilization			87.0%			ICU Level of Service			E			
Analysis Period (min)			15									
c Critical Lane Group												

Existing PM peak hour
15: E. Graves Ave & Howland Blvd

8/7/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	2	1446	127	371	600	1	62	0	506	1	0	1
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		7.5	7.5	4.0	7.0		7.0
Lane Util. Factor	1.00	0.95		1.00	0.95		0.95	0.95	1.00	1.00		1.00
Frt	1.00	0.99		1.00	1.00		1.00	1.00	0.85	1.00		0.85
Flt Protected	0.95	1.00		0.95	1.00		0.95	0.95	1.00	0.95		1.00
Satd. Flow (prot)	1770	3496		1770	3538		1681	1681	1583	1770		1583
Flt Permitted	0.41	1.00		0.95	1.00		0.95	0.95	1.00	0.95		1.00
Satd. Flow (perm)	757	3496		1770	3538		1681	1681	1583	1770		1583
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	2	1555	137	399	645	1	67	0	544	1	0	1
RTOR Reduction (vph)	0	4	0	0	0	0	0	0	0	0	0	1
Lane Group Flow (vph)	2	1688	0	399	646	0	33	34	544	1	0	0
Turn Type	Perm	NA		Prot	NA		Split	NA	Free	Split		Perm
Protected Phases		6		5	2		4	4		8	8	
Permitted Phases	6								Free			8
Actuated Green, G (s)	67.2	67.2		45.7	119.9		7.4	7.4	150.0	1.2		1.2
Effective Green, g (s)	67.2	67.2		45.7	119.9		7.4	7.4	150.0	1.2		1.2
Actuated g/C Ratio	0.45	0.45		0.30	0.80		0.05	0.05	1.00	0.01		0.01
Clearance Time (s)	7.0	7.0		7.0	7.0		7.5	7.5		7.0		7.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0		3.0
Lane Grp Cap (vph)	339	1566		539	2828		82	82	1583	14		12
v/s Ratio Prot		c0.48		c0.23	0.18		0.02	0.02		0.00		
v/s Ratio Perm	0.00								c0.34			0.00
v/c Ratio	0.01	1.08		0.74	0.23		0.40	0.41	0.34	0.07		0.00
Uniform Delay, d1	22.9	41.4		46.8	3.7		69.2	69.2	0.0	73.8		73.8
Progression Factor	0.54	0.91		1.08	0.85		1.00	1.00	1.00	1.00		1.00
Incremental Delay, d2	0.0	45.6		5.3	0.2		3.2	3.4	0.6	2.2		0.0
Delay (s)	12.4	83.3		55.7	3.3		72.4	72.6	0.6	76.0		73.8
Level of Service	B	F		E	A		E	E	A	E		E
Approach Delay (s)		83.2			23.3			8.5			74.9	
Approach LOS		F			C			A			E	

Intersection Summary

HCM 2000 Control Delay	50.9	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	0.94		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	28.5
Intersection Capacity Utilization	90.9%	ICU Level of Service	E
Analysis Period (min)	15		
c Critical Lane Group			

YR 2020 AM peak hour
15: E. Graves Ave & Howland Blvd

8/6/2014

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	283	488	35	428	1665	217	172	300	332	76	104	103
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	7.0		7.0	7.0		7.0	7.5	4.0	7.0	7.0	7.0
Lane Util. Factor	1.00	0.95		1.00	0.95		0.95	0.95	1.00	1.00	1.00	1.00
Frt	1.00	0.99		1.00	0.98		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	3504		1770	3478		1681	1765	1583	1770	1863	1583
Flt Permitted	0.09	1.00		0.95	1.00		0.38	0.99	1.00	0.55	1.00	1.00
Satd. Flow (perm)	162	3504		1770	3478		666	1744	1583	1025	1863	1583
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	298	514	37	451	1753	228	181	316	349	80	109	108
RTOR Reduction (vph)	0	3	0	0	7	0	0	0	0	0	0	99
Lane Group Flow (vph)	298	548	0	451	1974	0	163	334	349	80	109	9
Turn Type	pm+pt	NA		Prot	NA		pm+pt	NA	Free	Perm	NA	Perm
Protected Phases	1	6		5	2		7	4			8	
Permitted Phases	6						4		Free	8		8
Actuated Green, G (s)	63.0	46.0		40.0	72.0		32.5	32.5	140.0	11.8	11.8	11.8
Effective Green, g (s)	63.0	46.0		40.0	72.0		32.5	32.5	140.0	11.8	11.8	11.8
Actuated g/C Ratio	0.45	0.33		0.29	0.51		0.23	0.23	1.00	0.08	0.08	0.08
Clearance Time (s)	4.0	7.0		7.0	7.0		7.0	7.5		7.0	7.0	7.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	3.0
Lane Grp Cap (vph)	268	1151		505	1788		257	406	1583	86	157	133
v/s Ratio Prot	c0.13	0.16		0.25	c0.57		0.06	c0.08			0.06	
v/s Ratio Perm	0.37						0.08	c0.11	0.22	0.08		0.01
v/c Ratio	1.11	0.48		0.89	1.10		0.63	0.82	0.22	0.93	0.69	0.07
Uniform Delay, d1	44.1	37.4		47.9	34.0		46.0	51.0	0.0	63.7	62.3	59.0
Progression Factor	1.34	0.99		1.03	0.89		1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	76.0	0.2		15.4	54.4		5.0	12.6	0.3	73.9	12.5	0.2
Delay (s)	135.1	37.3		64.6	84.5		51.0	63.7	0.3	137.6	74.9	59.3
Level of Service	F	D		E	F		D	E	A	F	E	E
Approach Delay (s)		71.7			80.8			35.1			86.1	
Approach LOS		E			F			D			F	
Intersection Summary												
HCM 2000 Control Delay			70.7			HCM 2000 Level of Service				E		
HCM 2000 Volume to Capacity ratio			1.12									
Actuated Cycle Length (s)			140.0			Sum of lost time (s)			28.0			
Intersection Capacity Utilization			111.1%			ICU Level of Service			H			
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 PM peak hour
15: E. Graves Ave & Howland Blvd

8/6/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	106	1523	135	393	628	79	66	109	537	186	258	247
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	5.5	6.5		6.5	6.5		6.5	7.5	4.0	7.0	7.0	7.0
Lane Util. Factor	1.00	0.95		1.00	0.95		0.95	0.95	1.00	1.00	1.00	1.00
Frt	1.00	0.99		1.00	0.98		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	3496		1770	3480		1681	1765	1583	1770	1863	1583
Flt Permitted	0.37	1.00		0.95	1.00		0.19	0.78	1.00	0.67	1.00	1.00
Satd. Flow (perm)	688	3496		1770	3480		333	1384	1583	1257	1863	1583
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	112	1603	142	414	661	83	69	115	565	196	272	260
RTOR Reduction (vph)	0	0	0	0	5	0	0	0	0	0	0	215
Lane Group Flow (vph)	112	1745	0	414	739	0	62	122	565	196	272	45
Turn Type	pm+pt	NA		Prot	NA		pm+pt	NA	Free	Perm	NA	Perm
Protected Phases	1	6		5	2		7	4			8	
Permitted Phases	6						4		Free	8		8
Actuated Green, G (s)	81.9	73.2		22.6	88.1		33.7	33.7	150.0	25.7	25.7	25.7
Effective Green, g (s)	81.9	73.2		22.6	88.1		33.7	33.7	150.0	25.7	25.7	25.7
Actuated g/C Ratio	0.55	0.49		0.15	0.59		0.22	0.22	1.00	0.17	0.17	0.17
Clearance Time (s)	5.5	6.5		6.5	6.5		6.5	7.5		7.0	7.0	7.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	3.0
Lane Grp Cap (vph)	438	1706		266	2043		92	316	1583	215	319	271
v/s Ratio Prot	0.01	c0.50		c0.23	0.21		0.01	0.01			0.15	
v/s Ratio Perm	0.12						0.14	0.08	c0.36	c0.16		0.03
v/c Ratio	0.26	1.02		1.56	0.36		0.67	0.39	0.36	0.91	0.85	0.16
Uniform Delay, d1	16.5	38.4		63.7	16.2		58.6	49.4	0.0	61.0	60.3	53.0
Progression Factor	0.87	1.21		0.91	1.07		1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	0.2	25.4		267.7	0.5		17.7	0.8	0.6	37.9	19.2	0.3
Delay (s)	14.6	72.0		325.8	17.9		76.4	50.2	0.6	98.9	79.5	53.3
Level of Service	B	E		F	B		E	D	A	F	E	D
Approach Delay (s)		68.6			128.0			15.0			75.4	
Approach LOS		E			F			B			E	
Intersection Summary												
HCM 2000 Control Delay			76.1			HCM 2000 Level of Service			E			
HCM 2000 Volume to Capacity ratio			1.10									
Actuated Cycle Length (s)			150.0			Sum of lost time (s)			26.5			
Intersection Capacity Utilization			110.5%			ICU Level of Service			H			
Analysis Period (min)			15									
c Critical Lane Group												

Existing AM peak hour
37: Catalina Blvd. & Howland Blvd

8/7/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	121	491	38	29	992	22	187	89	53	125	45	519
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Lane Util. Factor	1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frt	1.00	0.99		1.00	1.00		1.00	0.94		1.00	0.86	
Flt Protected	0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1770	3501		1770	3528		1770	1759		1770	1605	
Flt Permitted	0.11	1.00		0.39	1.00		0.11	1.00		0.66	1.00	
Satd. Flow (perm)	205	3501		728	3528		204	1759		1229	1605	
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	130	528	41	31	1067	24	201	96	57	134	48	558
RTOR Reduction (vph)	0	5	0	0	1	0	0	21	0	0	155	0
Lane Group Flow (vph)	130	564	0	31	1090	0	201	132	0	134	451	0
Turn Type	pm+pt	NA		pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases	1	6		5	2		7	4				8
Permitted Phases	6			2			4			8		
Actuated Green, G (s)	44.1	36.3		37.1	32.8		45.5	45.5		30.0	30.0	
Effective Green, g (s)	44.1	36.3		37.1	32.8		45.5	45.5		30.0	30.0	
Actuated g/C Ratio	0.41	0.34		0.35	0.31		0.43	0.43		0.28	0.28	
Clearance Time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Vehicle Extension (s)	3.0	4.0		3.0	4.0		4.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	199	1192		295	1085		219	750		345	451	
v/s Ratio Prot	c0.05	0.16		0.00	c0.31		c0.08	0.07			c0.28	
v/s Ratio Perm	c0.22			0.03			0.31			0.11		
v/c Ratio	0.65	0.47		0.11	1.00		0.92	0.18		0.39	1.00	
Uniform Delay, d1	24.8	27.6		23.1	36.9		25.3	18.9		30.9	38.3	
Progression Factor	1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2	7.5	0.4		0.2	28.4		39.0	0.1		0.7	41.9	
Delay (s)	32.2	28.0		23.3	65.3		64.3	19.0		31.6	80.2	
Level of Service	C	C		C	E		E	B		C	F	
Approach Delay (s)		28.8			64.1			44.8			71.4	
Approach LOS		C			E			D			E	

Intersection Summary

HCM 2000 Control Delay	55.1	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	0.97		
Actuated Cycle Length (s)	106.6	Sum of lost time (s)	27.0
Intersection Capacity Utilization	102.1%	ICU Level of Service	G
Analysis Period (min)	15		
c Critical Lane Group			

Existing PM peak hour
37: Catalina Blvd. & Howland Blvd

8/7/2014

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	485	1033	74	30	579	74	81	98	24	99	70	191
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Lane Util. Factor	1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Fr _t	1.00	0.99		1.00	0.98		1.00	0.97		1.00	0.89	
Fit Protected	0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1770	3504		1770	3479		1770	1807		1770	1658	
Fit Permitted	0.19	1.00		0.20	1.00		0.18	1.00		0.67	1.00	
Satd. Flow (perm)	359	3504		372	3479		338	1807		1248	1658	
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	539	1148	82	33	643	82	90	109	27	110	78	212
RTOR Reduction (vph)	0	4	0	0	8	0	0	9	0	0	100	0
Lane Group Flow (vph)	539	1226	0	33	717	0	90	127	0	110	190	0
Turn Type	pm+pt	NA		pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases	1	6		5	2		7	4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)	56.2	46.5		32.2	29.5		26.0	26.0		15.8	15.8	
Effective Green, g (s)	56.2	46.5		32.2	29.5		26.0	26.0		15.8	15.8	
Actuated g/C Ratio	0.59	0.49		0.34	0.31		0.27	0.27		0.17	0.17	
Clearance Time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Vehicle Extension (s)	3.0	4.0		3.0	4.0		4.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	501	1702		164	1072		147	490		206	273	
v/s Ratio Prot	c0.22	0.35		0.01	0.21		c0.02	0.07			0.11	
v/s Ratio Perm	c0.41			0.06			c0.14			0.09		
v/c Ratio	1.08	0.72		0.20	0.67		0.61	0.26		0.53	0.70	
Uniform Delay, d1	22.0	19.5		21.5	28.8		28.2	27.3		36.6	37.7	
Progression Factor	1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2	62.1	1.6		0.6	1.8		8.4	0.3		2.6	7.5	
Delay (s)	84.1	21.1		22.1	30.6		36.6	27.6		39.2	45.2	
Level of Service	F	C		C	C		D	C		D	D	
Approach Delay (s)		40.3			30.2			31.2			43.5	
Approach LOS		D			C			C			D	
Intersection Summary												
HCM 2000 Control Delay			37.6			HCM 2000 Level of Service				D		
HCM 2000 Volume to Capacity ratio			1.03									
Actuated Cycle Length (s)			95.7			Sum of lost time (s)		27.0				
Intersection Capacity Utilization			87.7%			ICU Level of Service				E		
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 AM peak hour Background
37: Catalina Blvd. & Howland Blvd

8/6/2014

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	129	520	40	31	1052	24	238	113	68	195	70	809
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Lane Util. Factor	1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frt	1.00	0.99		1.00	1.00		1.00	0.94		1.00	0.86	
Flt Protected	0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1770	3501		1770	3527		1770	1757		1770	1606	
Flt Permitted	0.07	1.00		0.40	1.00		0.10	1.00		0.64	1.00	
Satd. Flow (perm)	130	3501		744	3527		186	1757		1187	1606	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	136	547	42	33	1107	25	251	119	72	205	74	852
RTOR Reduction (vph)	0	4	0	0	1	0	0	15	0	0	174	0
Lane Group Flow (vph)	136	585	0	33	1131	0	251	176	0	205	752	0
Turn Type	pm+pt	NA		pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases	1	6		5	2		7	4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)	68.2	57.2		55.0	50.6		57.6	57.6		33.6	33.6	
Effective Green, g (s)	68.2	57.2		55.0	50.6		57.6	57.6		33.6	33.6	
Actuated g/C Ratio	0.49	0.41		0.39	0.36		0.41	0.41		0.24	0.24	
Clearance Time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Vehicle Extension (s)	3.0	4.0		3.0	4.0		4.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	192	1433		325	1277		275	724		285	386	
v/s Ratio Prot	c0.06	0.17		0.00	c0.32		c0.11	0.10			c0.47	
v/s Ratio Perm	0.29			0.04			0.26			0.17		
v/c Ratio	0.71	0.41		0.10	0.89		0.91	0.24		0.72	1.95	
Uniform Delay, d1	30.2	29.3		26.2	41.8		40.6	26.8		48.7	53.0	
Progression Factor	1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2	11.3	0.3		0.1	7.9		32.7	0.2		8.4	436.1	
Delay (s)	41.5	29.5		26.3	49.7		73.3	27.0		57.1	489.2	
Level of Service	D	C		C	D		E	C		E	F	
Approach Delay (s)		31.8			49.0			53.3			410.9	
Approach LOS		C			D			D			F	
Intersection Summary												
HCM 2000 Control Delay			164.1			HCM 2000 Level of Service			F			
HCM 2000 Volume to Capacity ratio			1.19									
Actuated Cycle Length (s)			139.7			Sum of lost time (s)		27.0				
Intersection Capacity Utilization			126.3%			ICU Level of Service			H			
Analysis Period (min)			15									
c Critical Lane Group												

YR 2020 AM peak hour
37: Catalina Blvd. & Howland Blvd

8/7/2014

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	145	557	45	31	1167	24	255	113	68	195	70	857
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Lane Util. Factor	1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frt	1.00	0.99		1.00	1.00		1.00	0.94		1.00	0.86	
Flt Protected	0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1770	3500		1770	3529		1770	1757		1770	1605	
Flt Permitted	0.07	1.00		0.37	1.00		0.10	1.00		0.64	1.00	
Satd. Flow (perm)	127	3500		698	3529		186	1757		1187	1605	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	153	586	47	33	1228	25	268	119	72	205	74	902
RTOR Reduction (vph)	0	3	0	0	1	0	0	15	0	0	169	0
Lane Group Flow (vph)	153	630	0	33	1252	0	268	176	0	205	807	0
Turn Type	pm+pt	NA		pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases	1	6		5	2		7	4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)	70.5	59.0		56.4	51.9		57.5	57.5		33.5	33.5	
Effective Green, g (s)	70.5	59.0		56.4	51.9		57.5	57.5		33.5	33.5	
Actuated g/C Ratio	0.50	0.42		0.40	0.37		0.41	0.41		0.24	0.24	
Clearance Time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Vehicle Extension (s)	3.0	4.0		3.0	4.0		4.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	197	1459		312	1294		271	713		281	379	
v/s Ratio Prot	c0.06	0.18		0.00	c0.35		c0.12	0.10			c0.50	
v/s Ratio Perm	0.32			0.04			0.28			0.17		
v/c Ratio	0.78	0.43		0.11	0.97		0.99	0.25		0.73	2.13	
Uniform Delay, d1	36.2	29.3		26.2	44.0		43.3	27.7		49.8	54.0	
Progression Factor	1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2	17.3	0.3		0.2	17.7		51.2	0.2		9.1	517.4	
Delay (s)	53.5	29.6		26.3	61.6		94.4	27.9		58.9	571.4	
Level of Service	D	C		C	E		F	C		E	F	
Approach Delay (s)		34.3			60.7			66.7			482.4	
Approach LOS		C			E			E			F	
Intersection Summary												
HCM 2000 Control Delay		190.0			HCM 2000 Level of Service			F				
HCM 2000 Volume to Capacity ratio		1.29										
Actuated Cycle Length (s)		141.5			Sum of lost time (s)			27.0				
Intersection Capacity Utilization		134.3%			ICU Level of Service			H				
Analysis Period (min)		15										
c Critical Lane Group												

YR 2020 PM peak hour
37: Catalina Blvd. & Howland Blvd

8/7/2014

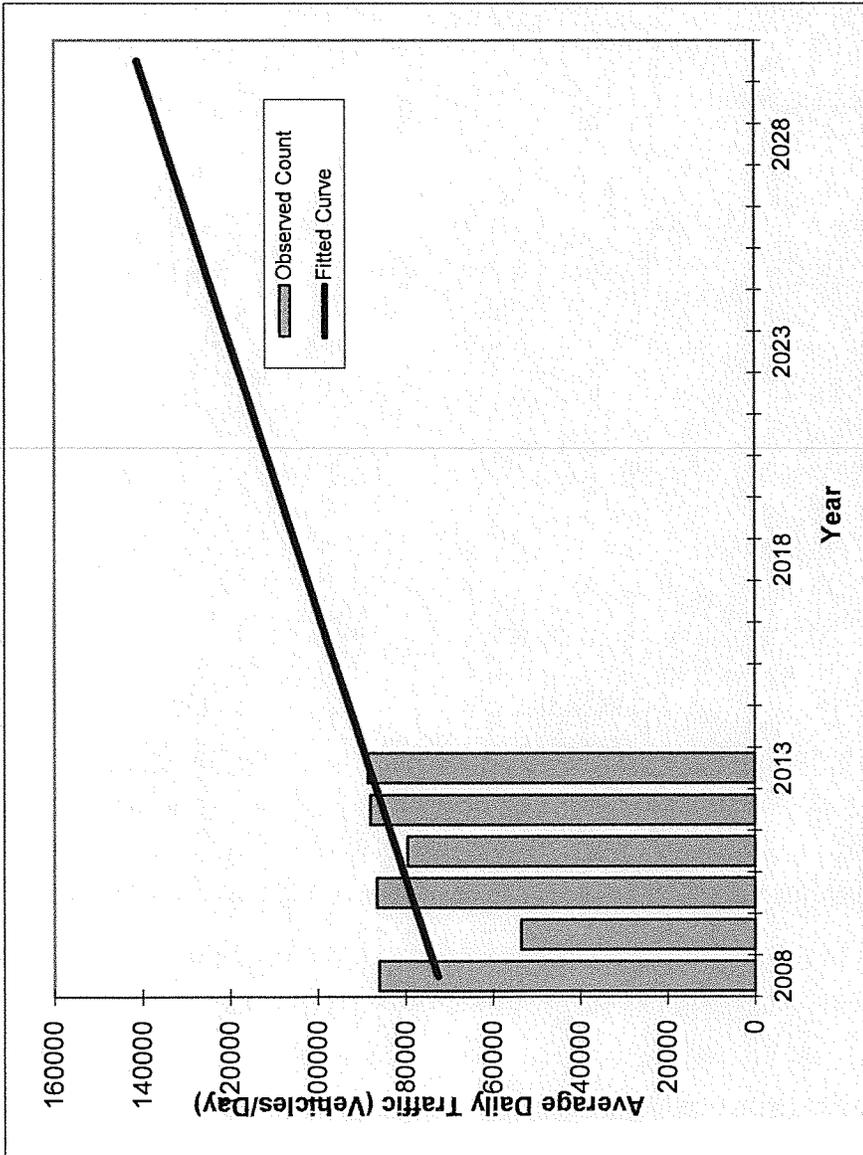
												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	556	1196	93	32	654	78	109	124	31	154	109	315
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Lane Util. Factor	1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frt	1.00	0.99		1.00	0.98		1.00	0.97		1.00	0.89	
Flt Protected	0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1770	3501		1770	3483		1770	1807		1770	1655	
Flt Permitted	0.10	1.00		0.20	1.00		0.11	1.00		0.65	1.00	
Satd. Flow (perm)	192	3501		373	3483		205	1807		1217	1655	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	585	1259	98	34	688	82	115	131	33	162	115	332
RTOR Reduction (vph)	0	4	0	0	7	0	0	7	0	0	81	0
Lane Group Flow (vph)	585	1353	0	34	763	0	115	157	0	162	366	0
Turn Type	pm+pt	NA		pm+pt	NA		pm+pt	NA		Perm	NA	
Protected Phases	1	6		5	2		7	4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)	77.9	67.9		34.9	31.9		40.7	40.7		29.8	29.8	
Effective Green, g (s)	77.9	67.9		34.9	31.9		40.7	40.7		29.8	29.8	
Actuated g/C Ratio	0.59	0.51		0.26	0.24		0.31	0.31		0.23	0.23	
Clearance Time (s)	7.0	7.0		7.0	7.0		6.5	6.5		6.5	6.5	
Vehicle Extension (s)	3.0	4.0		3.0	4.0		4.0	3.0		3.0	3.0	
Lane Grp Cap (vph)	579	1799		130	841		115	556		274	373	
v/s Ratio Prot	c0.30	0.39		0.01	0.22		c0.03	0.09			0.22	
v/s Ratio Perm	c0.30			0.06			c0.27			0.13		
v/c Ratio	1.01	0.75		0.26	0.91		1.00	0.28		0.59	0.98	
Uniform Delay, d1	38.9	25.4		36.5	48.7		45.3	34.6		45.7	50.9	
Progression Factor	1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2	40.0	1.9		1.1	13.6		83.9	0.3		3.4	41.2	
Delay (s)	78.9	27.4		37.5	62.3		129.3	34.9		49.1	92.1	
Level of Service	E	C		D	E		F	C		D	F	
Approach Delay (s)		42.9			61.2			73.8			80.6	
Approach LOS		D			E			E			F	

Intersection Summary

HCM 2000 Control Delay	55.6	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	1.06		
Actuated Cycle Length (s)	132.1	Sum of lost time (s)	27.0
Intersection Capacity Utilization	105.0%	ICU Level of Service	G
Analysis Period (min)	15		
c Critical Lane Group			

TRAFFIC TRENDS I-4 -- Saxon Blvd. to SR 472

County:	Volusia
Highway:	I-4



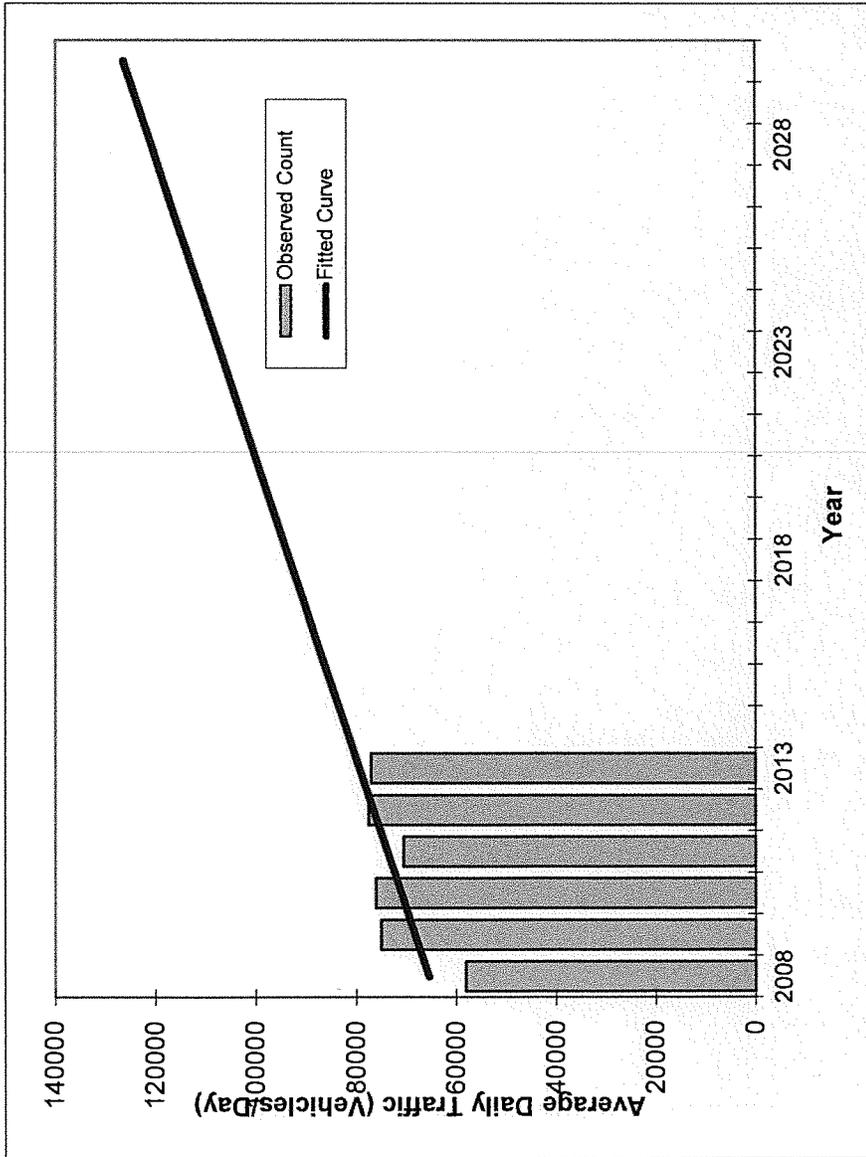
Year	Traffic (ADT)	
	Count*	Trend**
2008	86000	72500
2009	53500	75700
2010	86500	78800
2011	79500	81900
2012	88000	85000
2013	88500	88100
2019	Opening	106800
2025	Mid Year	125500
2030	Design Year	141100

*Axle-Adjusted
 ** Annual ADT Increase: 3,114
 Trend R-squared: 18.5%
 Trend Annual Growth Rate 4.3%
 Growth Rate (2013 to Design Year) 3.5%
 Printed 06-Aug-14

TRAFFIC TRENDS

I-4 -- SR 472 to Orange Camp Rd

County: Volusia
Highway: I-4

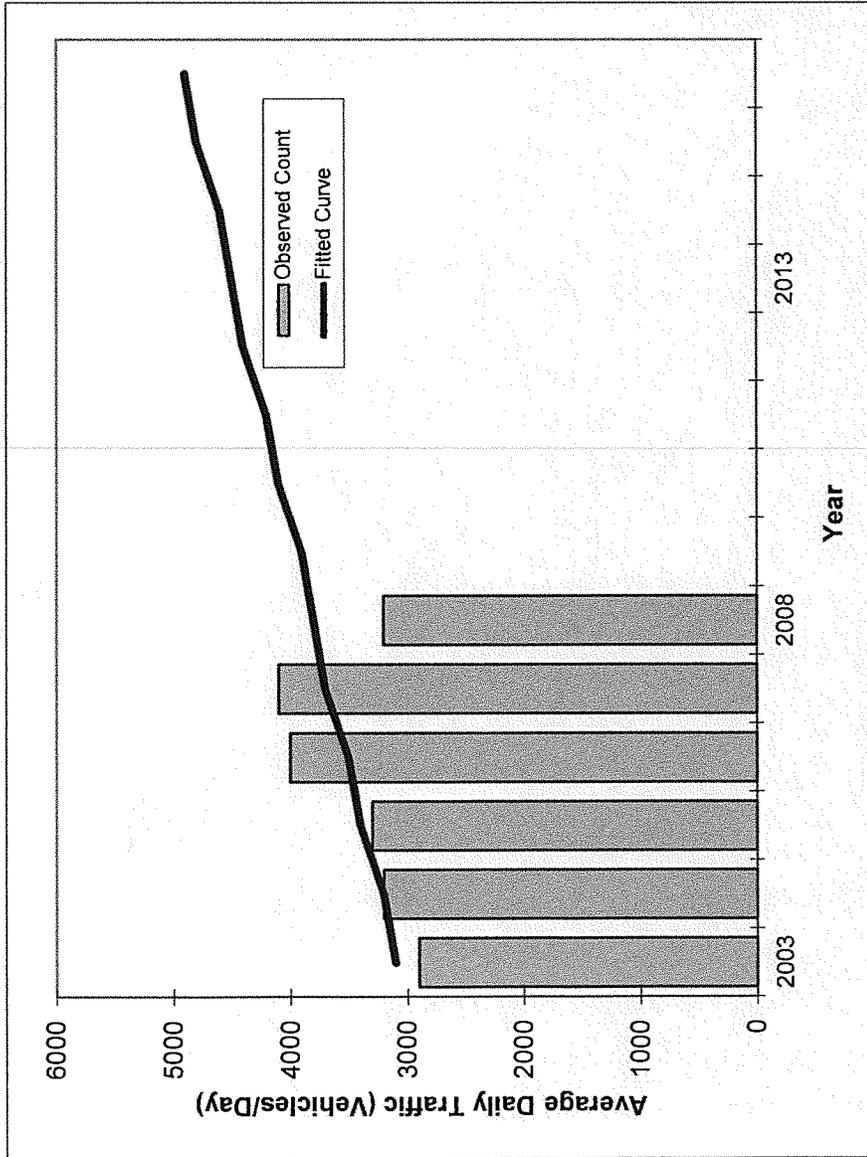


Year	Traffic (ADT)	
	Count*	Trend**
2008	58000	65400
2009	75000	68200
2010	76000	70900
2011	70500	73700
2012	77500	76500
2013	77000	79300
2019	Opening	95900
2025	Mid Year	112500
2030	Design Year	126400

*Axle-Adjusted
 ** Annual ADT Increase: 2,771
 Trend R-squared: 48.4%
 Trend Annual Growth Rate: 4.3%
 Growth Rate (2013 to Design Year): 3.5%
 Printed: 06-Aug-14

TRAFFIC TRENDS
Catalina Blvd. -- Wolf Pack Rd. to Howland Blvd.

County: Volusia
Highway: Catalina Blvd.



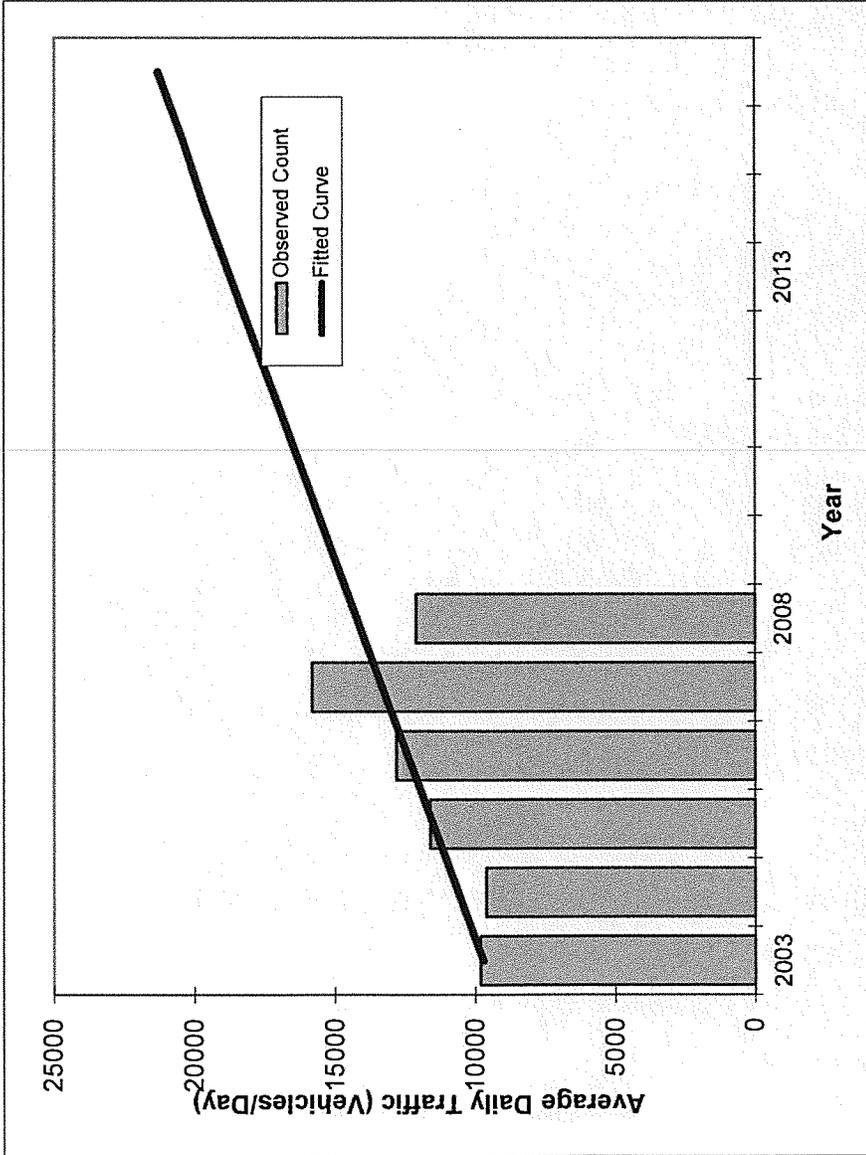
Year	Traffic (ADT)	
	Count*	Trend**
2003	2900	3100
2004	3200	3200
2005	3300	3400
2006	4000	3500
2007	4100	3700
2008	3200	3800
2014	Opening	4600
2015	Mid Year	4800
2016	Design Year	4900

*Axle-Adjusted
 ** Annual ADT Increase: 140
 Trend R-squared: 29.2%
 Trend Annual Growth Rate: 4.5%
 Growth Rate (2008 to Design Year): 3.6%
 Printed: 06-Aug-14

TRAFFIC TRENDS

Catalina Blvd. -- Howland Blvd. to Sixma Rd.

County:	Volusia
Highway:	Catalina Blvd.



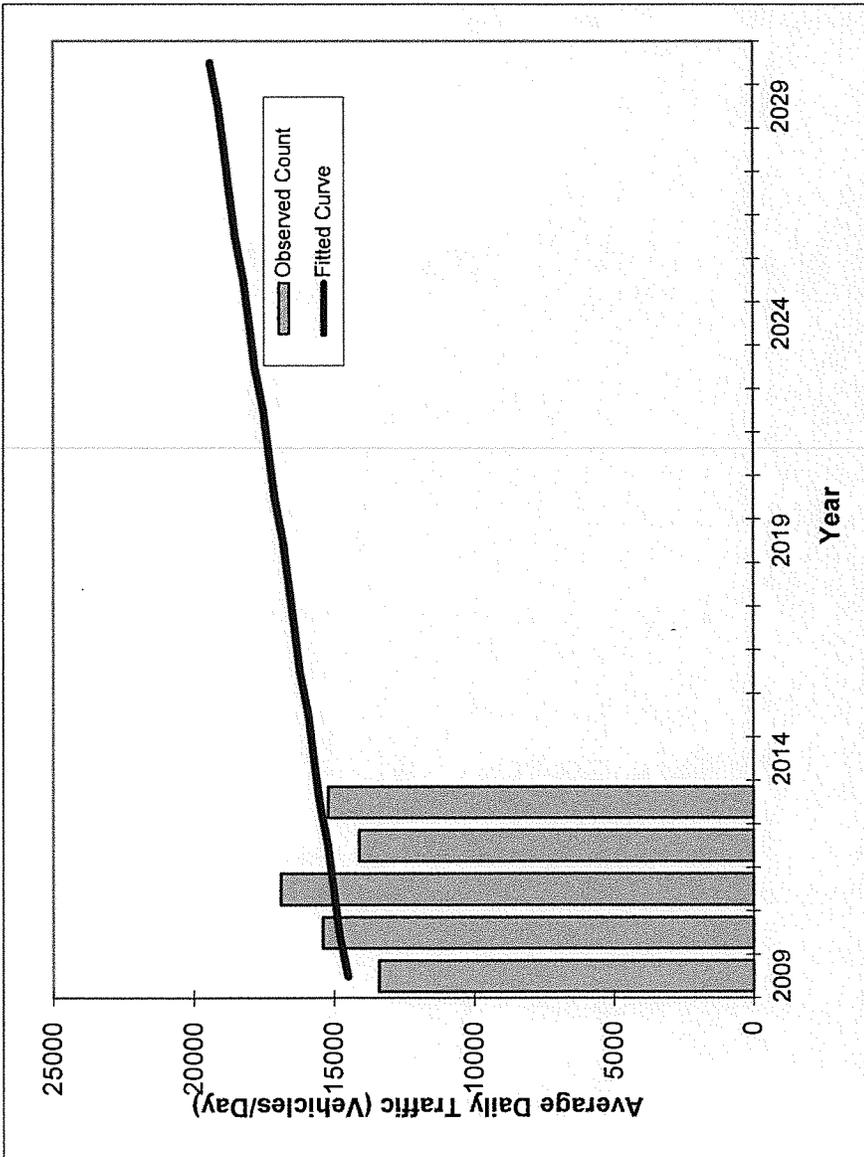
Year	Traffic (ADT)	
	Count*	Trend**
2003	9800	9700
2004	9600	10600
2005	11600	11500
2006	12800	12400
2007	15800	13300
2008	12100	14200

2014	Opening	19600
2015	Mid Year	20400
2016	Design Year	21300

*Axle-Adjusted	894
** Annual ADT Increase:	54.2%
Trend R-squared:	9.3%
Trend Annual Growth Rate	6.3%
Growth Rate (2008 to Design Year)	20-Mar-14
Printed	

TRAFFIC TRENDS Howland Blvd. -- Providence Blvd. to Elkcam Blvd.

County: Volusia
Highway: Howland Blvd.



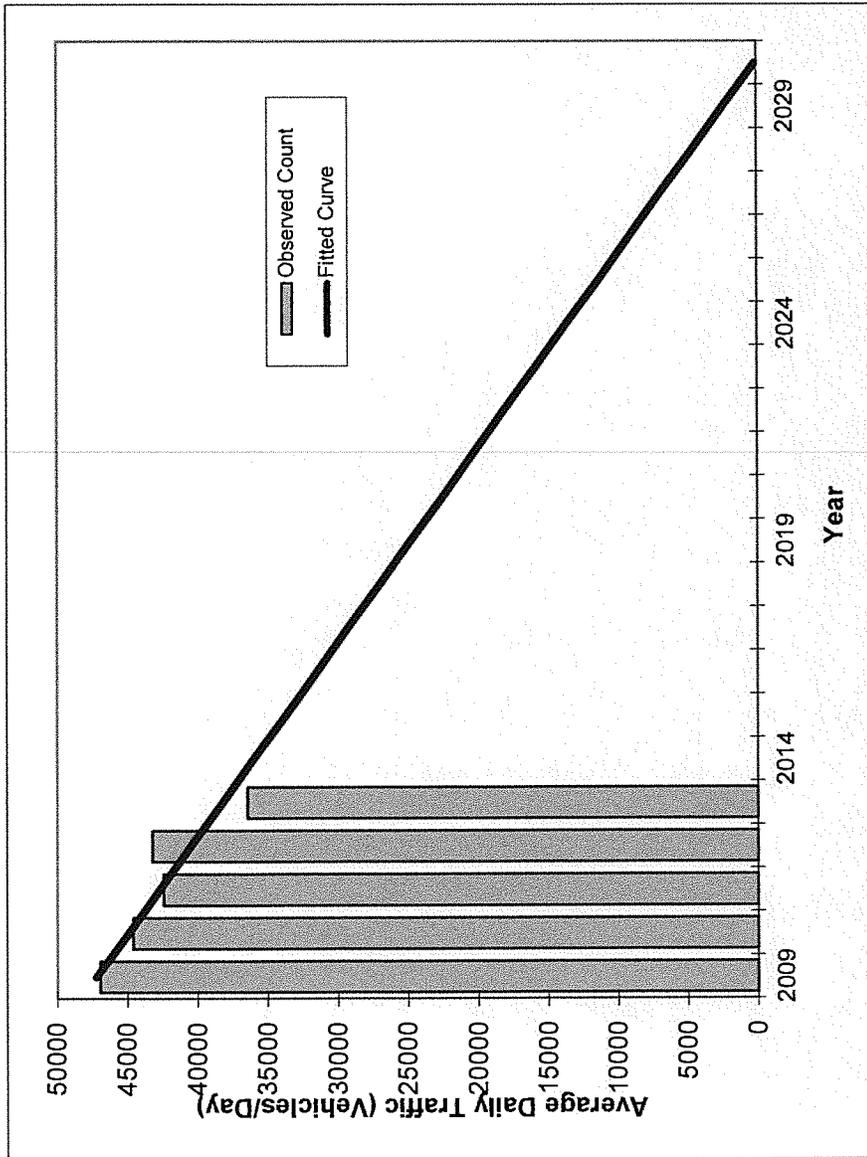
Year	Traffic (ADT)	
	Count*	Trend**
2009	13400	14500
2010	15400	14800
2011	16900	15000
2012	14100	15200
2013	15200	15500
2019	Opening	16800
2025	Mid Year	18200
2030	Design Year	19400

*Axle-Adjusted
 ** Annual ADT Increase: 230
 Trend R-squared: 7.4%
 Trend Annual Growth Rate: 1.7%
 Growth Rate (2013 to Design Year): 1.5%
 Printed 06-Aug-14

TRAFFIC TRENDS

Saxon Blvd. -- FDOT Park & Ride to I-4

County: Volusia
 Highway: Saxon Blvd.



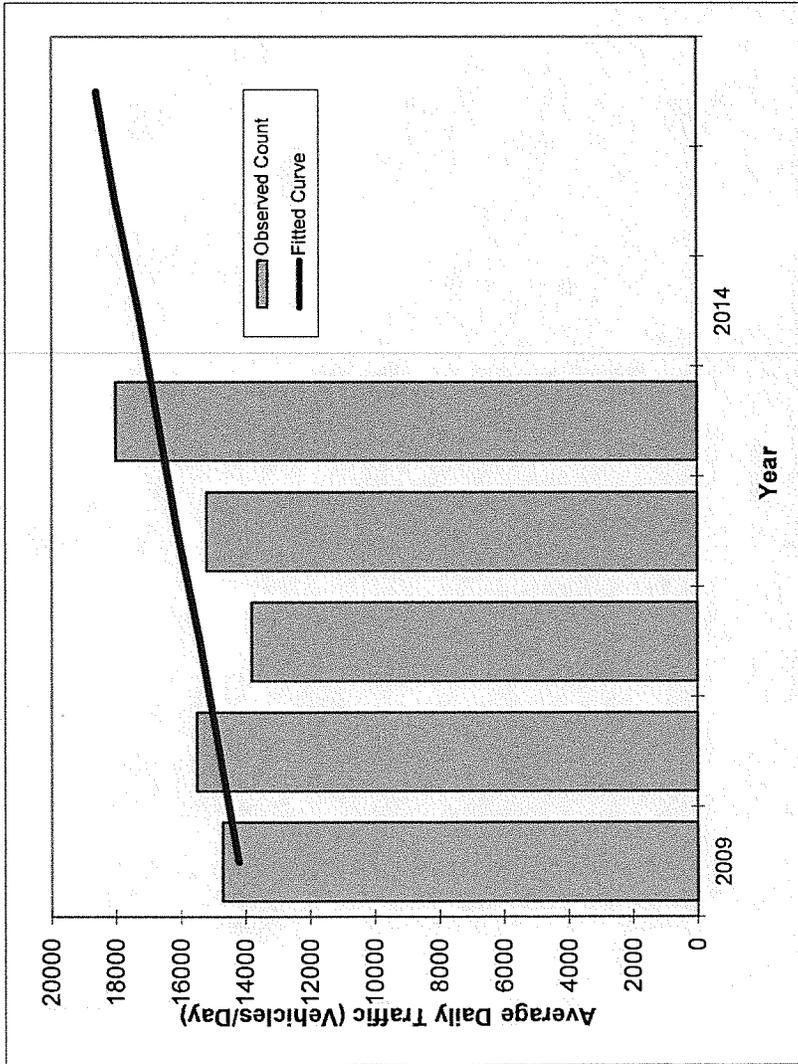
Year	Traffic (ADT)	
	Count*	Trend**
2009	46900	47200
2010	44600	44900
2011	42400	42700
2012	43200	40500
2013	36400	38200
2019	Opening	24800
2025	Mid Year	11300
2030	Design Year	100

*Axle-Adjusted
 ** Annual ADT Increase: -2,240
 Trend R-squared: 81.9%
 Trend Annual Growth Rate: -4.8%
 Growth Rate (2013 to Design Year): -5.9%
 Printed: 06-Aug-14

TRAFFIC TRENDS

Volusia Bltwy. (Veteran's Memorial) -- Rhode Island Ave. to Harley Strickland

County: Volusia
 Highway: W. Volusia Bltwy. (Veteran's Memorial)



Year	Traffic (ADT)	
	Count*	Trend**
2009	14700	14200
2010	15500	14800
2011	13800	15400
2012	15200	16100
2013	18000	16700
2014	Opening	17300
2015	Mid Year	18000
2016	Design Year	18600

*Axle-Adjusted
 ** Annual ADT Increase: 630
 Trend R-squared: 40.3%
 Trend Annual Growth Rate: 4.4%
 Growth Rate (2013 to Design Year): 3.8%
 Printed: 06-Aug-14

TEMPORARY ACCESS EASEMENT

THIS INDENTURE, Made this _____ day of _____, A.D. 2014, Between Trafalgar Holdings, LLC, a Florida limited liability company, having its principal place of business in the city of Orlando, county of Volusia, whose address is 27 N. Summerlin Ave, Orlando, Florida 32801, GRANTOR, and City of Deltona a political subdivision of the state of Florida, whose address is 2345 Providence Blvd., Deltona, Florida 32725, GRANTEE.

WITNESSETH, That the GRANTOR, in consideration of the sum of \$1.00 and other valuable considerations and covenants, paid or made by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby give and grant to the GRANTEE and its assigns, a temporary right-of-way and easement for access to Lots 1-5 Davis Park 5th addition as recorded in Map Book 18 Page 147 of the Public Records of Volusia County, Florida, under and upon the following described lands situate in Volusia County aforesaid, to-wit:

That portion of property consisting of the 60' wide vacated right of way of Persimmon Ave as reflected in the Plat of Davis Park 5th Addition as recorded in Map Book 18 Page 147 of the Public Records of Volusia County, Florida.

TO HAVE AND TO HOLD said easement unto said GRANTEE and its assigns forever; provided, however, the easement hereby granted shall automatically terminate, without the necessity of the GRANTOR undertaking vacation proceedings or obtaining any release from the GRANTEE, at such time as GRANTOR or its successors or assigns shall cause an alternative access from Lots 1-5 Davis Park 5th Addition to a public or private street to be constructed and platted.

IN WITNESS WHEREOF, the said GRANTOR and GRANTEE has caused these presents to be executed in its name.

Signed, sealed and delivered
in the presence of:

Trafalgar Holdings, LLC,
a Florida limited liability company

By: _____

Witness

Printed Name

Witness

Printed Name

(Signature of TWO witnesses required by Florida law)

STATE OF _____

COUNTY OF _____

I HEREBY CERTIFY that on this day, before me, personally appeared _____ as _____ of Trafalgar Holdings, LLC as managing member of under the laws of the state of _____, to me known to be, or who has produced _____ as identification, and did (did not) take an oath, the individual and officer described in and who executed the foregoing conveyance and acknowledged the execution thereof to be his/her free act and deed as such officer thereunto duly authorized, and the said conveyance is the act and deed of said limited

liability company.

Witness my hand and official seal this _____ day of _____, 20__ .

(Notary Seal)

Notary Signature

Printed Notary Name
Notary Public in and for the County and
State aforesaid.
My commission expires:



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014

FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 8 - D

SUBJECT: Ordinance No. 14-2014, amending Section 42-186, of Article IV, "Fire Codes", of Chapter 42, "Fire Prevention and Protection", of the Code of the City of Deltona, Adopting More Recent Standard Code Provisions and Providing for New Methods of Appeals of Certain Decisions, at first reading and to schedule second and final reading for September 15, 2014.

LOCATION:

N/A

BACKGROUND:

The current city code adopts the 2001 Florida Fire Prevention Code and the 1994 Life Safety Code. This ordinance adopts the most recent edition of the Florida Fire Prevention Code, as adopted by the State Fire Marshal, which contains the Florida specific version of NFPA 1, Fire Code and NFPA 101, Life Safety Code.

This ordinance also provides that appeals of decisions of the city Life Safety Manager pertaining to the codes may be appealed to the city Fire Chief. In the event a dispute occurs that is not resolved by the appeal to the Fire Chief, an appeal can be taken to the city's Special Magistrate.

ORIGINATING DEPARTMENT:

City Attorney's Office

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

Finance Director, City Attorney, Acting City Manager

STAFF RECOMMENDATION PRESENTED BY:

City Attorney Becky Vose - That the City Commission adopt Ordinance No. 14-2014 at first reading, and to schedule second and final reading for September 15, 2014.

POTENTIAL MOTION:

**AGENDA ITEM
APPROVED BY:**

"I move to adopt Ordinance No. 14-2014 at first reading, and to schedule second and final reading for September 15, 2014."

Dale Baker, Acting City Manager

ATTACHMENTS:

- Fire Code Amendment

ORDINANCE NO. 14 – 2014

AN ORDINANCE AMENDING SECTION 42-186, OF ARTICLE IV, “FIRE CODES”, OF CHAPTER 42, “FIRE PREVENTION AND PROTECTION”, OF THE CODE OF THE CITY OF DELTONA, FLORIDA, ADOPTING MORE RECENT STANDARD CODE PROVISIONS AND PROVIDING FOR NEW METHODS OF APPEALS OF CERTAIN DECISIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Deltona, Florida, as follows:

SECTION 1. Section 42-186, “Adopted”, of Article IV, “Fire Codes”, of Chapter 42, “Fire Prevention and Protection”, of the Code of the City of Deltona, Florida, are amended to read as follows:

Sec. 42-186. - Adopted.

(a) The most recent edition of the Florida Fire Prevention Code, as adopted by the State Fire Marshal, which contains the Florida specific version of NFPA 1, Fire Code and NFPA 101, Life Safety Code, shall be adopted and by reference made a part of this article, as set forth in this section, as the minimum fire safety code for the City. ~~The 2001 Florida Fire Prevention Code and documents adopted by section 4A-60 of the Florida Fire Prevention Code adopted by the State Fire Marshal copies of which are on file in the office of the city clerk, are adopted and by reference made a part of this article as if set forth in this section as the fire prevention code for the city.~~ The same are hereby adopted as the code of the City of Deltona for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion and providing for issuance of permits and collection of fees.

(b) ~~The Life Safety Code, 1994 edition, a copy of which is on file in the office of the city clerk, is adopted and by reference made a part of this article as if set forth in this section as the life safety code for the city.~~

(be) Any decision of the fire official pertaining to these codes may be appealed to the Fire Chief. In the event a dispute occurs that is not resolved by the appeal to the Fire Chief, the matter can be appealed to the city’s Special Magistrate upon the payment of an appeal fee of \$125.00. Such appeal shall be heard at the next regularly scheduled Special Magistrate session. ~~building code board of adjustments and appeals pursuant to the Standard Building Code, section 5.105 and A105.4. The member of the board from the public sector shall be replaced by an individual with expertise in fire safety standards for an appeal from the Life Safety Code only.~~

~~(d) If the building official and fire official are unable to agree on a resolution of a conflict between the Standard Building Code and the Life Safety Code, the building code board of adjustments and appeals shall resolve the conflict in favor of the code that offers the greatest degree of life safety or alternatives that would provide an equivalent method of construction.~~

(ce) In the event of any conflict between this article, the adopted codes of the city, and any applicable state or county law, ordinance, rule or regulation, the more stringent shall apply.

SECTION 2. CONFLICTS. All Ordinances or parts of Ordinances insofar as they are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of any conflict.

SECTION 3. CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

SECTION 4. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2014.

FIRST READING: _____
ADVERTISED: _____
SECOND READING: _____

JOHN C. MASIARCZYK SR., MAYOR

ATTEST:

JOYCE RAFTERY, CITY CLERK

Approved as to form and legality for use
and reliance by the City of Deltona, Florida

GRETCHEN R. H. VOSE, CITY ATTORNEY



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 8 - E
SUBJECT: Ordinance No. 24-2014, to amend alarm ordinance to include false fire alarms, at first reading and to schedule second and final reading for September 15, 2014.

LOCATION:	N/A
BACKGROUND:	For the last year and 8 months the fire department responded to 583 false mechanical alarms. Of those and as it relates to habitual offenders, we ran on 9 addresses 3 times, 8 addresses 4 times and 2 addresses 5 times. The remainder were 2 calls or less at the same address during the 1 year and 8 months. On average the Deltona Fire Department runs one false mechanical alarm per day. Although this is not excessive, a false alarm ordinance would be appropriate for the purpose of heading off future problematic single address false alarms.
ORIGINATING DEPARTMENT:	City Attorney's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Manager, City Attorney, Fire Chief, Director of Finance
STAFF RECOMMENDATION PRESENTED BY:	Becky Vose, City Attorney - Approve Ordinance No. 24-2014 on first reading and schedule second reading for September 15, 2014.
POTENTIAL MOTION:	"I move to approve Ordinance No. 26-2014 on first reading and to schedule second reading for September 15, 2014."
AGENDA ITEM APPROVED BY:	<hr/> Dale Baker, Acting City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• fire alarm ordinance

ORDINANCE NO. 24 – 2014

AN ORDINANCE AMENDING DIVISION 2 OF CHAPTER 34, “EMERGENCY SERVICES” OF THE CODE OF THE CITY OF DELTONA, FLORIDA, ADDING FIRE ALARMS TO REGULATIONS GOVERNING OTHER EMERGENCY SERVICE ALARMS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Deltona, Florida, as follows:

SECTION 1. Division 2 of Chapter 34, “Emergency Services”, of the Code of the City of Deltona, Florida, is amended to read as follows:

DIVISION 2. - ~~LAW ENFORCEMENT~~ EMERGENCY SERVICES ALARMS

Sec. 34-51. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm business means the business by any individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure or facility either privately owned or commercial.

Alarm system means any assembly of equipment, mechanical, ~~or~~ electrical or radio-controlled device or system which is designed to emit a sound, relay or transmit a signal or message when activated because of arranged to signal the occurrence of an illegal entry, burglary, robbery, smoke, heat, fire, hazardous chemical detection, emergency medical alarm or other activity requiring urgent attention and to which an law enforcement emergency services agency is expected to respond. A single-station (residential) smoke detector shall not be deemed to be a fire alarm system under this section.

Alarm user means the person, firm, partnership, association, corporation, company, organization, state, county, municipality, or other governmental agency or entity in control of any building, structure or facility wherein an alarm system is maintained.

Authorized serviceman shall mean any person who inspects, installs, repairs or performs maintenance on alarm systems, and is licensed by the State of Florida as required by state statute (or works under the license of an alarm contractor).

Automatic dialing device means a device interconnected to a telephone line and programmed to select a predetermined telephone number and transmit by voice message or code signal an emergency message indicating a need for emergency response.

~~*Burglary alarm system* means an alarm system signaling an entry or attempted entry into the area protected by the system.~~

False alarm means the activation of any alarm system signal or message which elicits a notification to and/or response by “emergency services” when there is no evidence of a an illegal entry, burglary, robbery, smoke, heat, fire, hazardous chemical detection, emergency medical alarm or other activity requiring urgent attention and to which an law enforcement emergency services agency is expected to respond an alarm signal indicating a burglary, or robbery or fire situation, eliciting a response by an law enforcement emergency services agency when a situation requiring such response does not in fact exist, but does not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user. This may include, but not limited to, an alarm discovered by a law enforcement officer, firefighter or any other individual(s) before notification of an alarm from a monitoring company or from a local alarm system that is not monitored.

Fire Watch shall mean an enforcement official approved person or persons assigned to the premises for the purpose of protecting the occupants from fire or similar emergencies. A fire watch may involve at least some special action beyond staffing, such as assigning an additional security guard(s) to walk the premises, who has been trained in the use of fire extinguishers, in notifying the fire department, in sounding the fire alarm system located on the premises, and in understanding the particular fire safety situation.

~~*Fire alarm system* means an alarm system signaling a fire at the area protected by the system.~~

Interconnect means to connect an alarm system (including an automatic dialing device) to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon activation of the alarm system.

Primary trunk line means a telephone line serving the city ~~law enforcement emergency services agencies~~ that is designated to receive calls for service from the public.

~~*Robbery alarm system* means an alarm signaling a robbery or attempted robbery.~~

Emergency Services means the Deltona Fire Department and/or the Volusia County Sheriff Department. The Enforcement Official for each Emergency Service shall mean

the city Fire Chief or his designee or Sheriff, means (the director of the county department of public safety) or his designated representative or city law enforcement agency who shall administer this section and control and maintain records involving false alarms.

Sec. 34-52. - Purpose.

The purpose of this division is to protect the emergency services from misuse through prohibition and regulation of certain alarms within the municipal boundaries of the city.

Sec. 34-53. - Enforcement and penalties.

Anyone convicted of a violation of or failure to comply with any of the provisions of this division shall be punished as provided in section 1-15.

Sec. 34-54. - Automatic dialing devices; certain interconnections prohibited.

It is unlawful for any business, user or person to select a primary trunk line of the city's law enforcement emergency services agencies. It is unlawful for an alarm business or user to fail to disconnect or reprogram an automatic dialing device programmed to select a primary trunk line within 12 hours of receipt of written notice from the city law enforcement emergency services agency that is so programmed.

Sec. 34-55. - Termination of alarm systems prohibited at certain locations.

No commercial or private alarm system may be terminated in the city law enforcement emergency services agencies, except that the city law enforcement emergency services agencies may at ~~its~~ their discretion allow the termination of governmental alarm systems or certain alarm systems originating at federally insured banking or savings institutions as may be deemed appropriate.

Sec. 34-56. - Requirement to register alarm systems.

Prior to the installation or use of any type robbery, ~~and/or~~ burglar, ~~and/or~~ fire/hazard alarm, the owner or manager of the premises shall furnish to the city law enforcement emergency services agency information regarding the full names, addresses and telephone numbers of at least two people who can be reached at all times and who are authorized to enter the premises and deactivate the alarm system. It shall be the responsibility of the owner or manager of the premises to notify the city law enforcement emergency services agency of any change in such information within seven days thereof, including but not limited to the unavailability of any responder during any period of time. If any such person shall fail to appear and turn off any such alarm system within one hour after being notified by the city law enforcement emergency services agency to do so, the owner or manager of the premises shall be charged a fee established by resolution of the city commission in the appendix A fee schedule for each such occurrence or, failing to pay such a fee, shall be notified in writing by the city law enforcement emergency

services agency that the city ~~law enforcement~~ emergency services agency will not respond to any further alarms at that location. Failure to register will also result in a fee established by resolution of the city commission in the appendix A fee schedule, to be charged to the owner of the premises.

Sec. 34-57. - Procedures and fees for false alarms.

(a) ~~Burglar alarms.~~ For a response by the emergency service ~~law enforcement~~ agency to any false alarm the responding agency shall charge and collect from the person having or maintaining such ~~burglar~~-alarm system on premises owned or occupied by him fees as follows:

(1) For a first and second response to premises at which no other false alarm has occurred within the preceding six-month period, referred to as a "first response," and "second response" respectively, no fee shall be charged; but the person having or maintaining such ~~burglar~~-alarm shall, within three working days after notice to do so, make a written report to the agency on forms prescribed by the agency setting forth the cause of such false alarm, the corrective action taken, whether such alarm has been inspected by an authorized serviceman, and such other information as the agency may reasonably require to determine the cause of such false alarm and the corrective action taken.

(2) For a third response to premises within six months after such second response, a fee established by resolution of the city commission in the appendix A fee schedule shall be charged. If such third false alarm or any such succeeding false alarm is a result of failure to take necessary corrective action, the city emergency service ~~law enforcement~~ agency may order the disconnection of such alarm system and it shall be unlawful to reconnect such alarm system until such corrective action is taken. No disconnection shall be ordered at any premises required by law to have an alarm system in operation.

(3) In those instances where the alarm user is required by law to have an alarm system in operation, thereby prohibiting the disconnection for repeated failure to take necessary corrective action, the false alarm fee shall be the amount which is listed in appendix A for each such false alarm in excess of two within the six-month period.

(4) Premise(s) affected because the signal from the alarm system indicates a failed, disconnected or deactivated system may be required to establish a fire watch until the fire alarm system has been returned to service. The Enforcement Official or his designee shall determine the need of a fire watch based upon the life safety considerations of the premise. The owner is responsible for paying all of the costs associated with establishing a fire watch.

~~(b) Robbery alarms. The same procedures as outlined for burglar alarms in subsection (a) of this section shall apply to robbery alarms.~~

(~~eb~~) *Payment of fee.* All fees due under the provisions of this division shall be paid directly to the City of Deltona department of finance and shall be credited to the appropriate city law enforcement agency budget General Fund general revenue account.

Sec. 34-58. - Implementation procedures.

(a) The city ~~law enforcement~~ emergency services agencies shall establish procedures governing the implementation of this division, including but not limited to:

- (1) Registration procedures and forms
- (2) Processing of false alarm reports submitted by alarm users
- (3) Collection of fees
- (4) Alarm deactivation procedures
- (5) Appeal processes by alarm users
- (6) Record keeping systems
- (7) Alarm response procedures

(b) These procedures shall be reviewed periodically by the city ~~law enforcement~~ emergency services agency, and changes may be made as deemed necessary.

SECTION 2. CONFLICTS. All Ordinances or parts of Ordinances insofar as they are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of any conflict.

SECTION 3. CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

SECTION 4. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2014.

FIRST READING: _____
ADVERTISED: _____

SECOND READING: _____

JOHN C. MASIARCZYK SR., MAYOR

ATTEST:

JOYCE RAFTERY, CITY CLERK

Approved as to form and legality for use
and reliance by the City of Deltona, Florida

GRETCHEN R. H. VOSE, CITY ATTORNEY



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale A. Baker, Acting City Manager **AGENDA ITEM:** 8 - F
SUBJECT: Ordinance No. 25-2014, Sales of Food on House of Worship Property, at first reading and to schedule second and final reading for September 15, 2014.

LOCATION:	Citywide
BACKGROUND:	On July 21, 2014, the City Commission adopted Resolution 2014-23 which imposed a moratorium on the enforcement of city code provisions as to food sales on residentially zoned church property pending a review of city regulations on this subject and the enactment of an ordinance addressing this issue. A draft ordinance was reviewed at the City Commission workshop on August 25, 2014. Ordinance No. 25-2014 is an amendment to the Street Vendor Ordinance and would allow a house of worship to be granted a permit for the sale of food by one vendor at a time on the house of worship property during daylight hours. The vendors would have to remove all equipment used each day from church property by sunset. A \$20 fee would be charged for the permit and vendors would have to obtain a business tax receipt.
ORIGINATING DEPARTMENT:	City Attorney's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Manager, City Attorney, Planning and Development Services, Building and Enforcement Services, Finance Department
STAFF RECOMMENDATION PRESENTED BY:	Becky Vose, City Attorney - Approve Ordinance No. 25-2014 on first reading and schedule second reading for September 15, 2014.
POTENTIAL	

MOTION:

"I move to approve Ordinance No. 25-2014 on first reading and to schedule second reading for September 15, 2014."

**AGENDA ITEM
APPROVED BY:**

Dale A. Baker, Acting City Manager

ATTACHMENTS:

- Ordinance No. 25-2014

ORDINANCE NO. 25-2014

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING ARTICLE VI, “STREET VENDORS”, OF CHAPTER 22 “BUSINESSES”, OF THE CODE OF THE CITY OF DELTONA, MAKING AN EXCEPTION FOR FOOD SALES ON HOUSE OF WORSHIP PROPERTY UNDER CERTAIN CONDITIONS; PROVIDING FOR ISSUANCE OF PERMITS; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:

SECTION 1: Article VI, “Street Vendors”, of Chapter 22, “Businesses”, of the Code of the City of Deltona, is hereby amended to read as follows:

ARTICLE VI. – STREET VENDORS

Sec. 22-186. - Definitions.

(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Goods or merchandise means any materials or products, including but not limited to fruits, vegetables, or other edible items, souvenirs, trinkets, art objects, and other such items capable of being the object of a sale.

House of worship means premises used for worship and permitted customary accessory uses by an organization of religious believers.

Permanent structure means a building containing no fewer than four outer walls and a roof enclosing said walls, constructed in accordance with the local building code and a duly issued building permit, and for which occupancy is authorized by a duly issued certificate of occupancy

Street vendor means a person who sells or offers for sale any goods, services or merchandise from a location other than a permanent structure located in a commercially zoned area. A street vendor does not include anyone that utilizes newspaper, magazine, or other self-service vending machines for the sale of such items.

Sec. 22-187. - Prohibited acts. It shall be unlawful for any street vendor to sell goods, merchandise or services from any public property, public right of way, unoccupied private property, or undeveloped private property within the city limits of the City of Deltona.

Sec. 22-188. - Penalties. Any person who is found to be in violation of any provision of this chapter for which another penalty is not specifically provided shall immediately cease the activity in violation and may be issued a citation by a city enforcement services officer or law enforcement officer and be punishable by a fine not to exceed \$500.00. Failure to immediately cease the activity in violation may result in arrest by a law enforcement officer under F.S. § 901.15(1). For each day that the violation of a provision of this chapter exists, such violation shall constitute a separate offense.

Sec. 22-189. - Exceptions. Nothing herein shall be construed to prohibit the sale of goods and merchandise by vendors on public property during city sponsored special events, festivals or parades, or with a permit issued by the city.

Sec. 22-190. Exception - Food Sales on House of Worship Property. Upon application by a house of worship, the city manager, or his designee, may grant a permit for the sale of food on the house of worship property upon the completion of an application and the payment of a \$20 fee. Such permit shall allow the sale of food by no more than one vendor at a time during daylight hours only on house of worship property. All equipment and materials of any kind used by a vendor must be taken down before sundown each day and removed from house of worship property. This provision shall not eliminate any requirement for health department or other approval(s), as may be required by applicable law, and any vendor(s) shall be responsible to obtain business tax receipt(s).

Secs. 22-191—22-199. - Reserved.

SECTION 2. CONFLICTS. All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

SECTION 3. CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

SECTION 4. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent

jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance on which shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2014.

FIRST READING: _____

ADVERTISED: _____

SECOND READING: _____

JOHN C. MASIARCZYK SR., MAYOR

ATTEST:

JOYCE RAFTERY, CITY CLERK

Approved as to form and legality for use
and reliance by the City of Deltona, Florida

GRETCHEN R. H. VOSE, CITY ATTORNEY



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 9/3/2014
FROM: Dale A. Baker, Acting City Manager **AGENDA ITEM:** 8 - G
SUBJECT: Resolution No. 2014-31; Setting Registration Fees for Implementation of Deltona Rental Regulatory License Ordinance.

LOCATION:	City wide
BACKGROUND:	The City Commission recently adopted the Deltona Rental Regulatory License Ordinance that provided that fees under the ordinance would be set by resolution. This is the resolution setting the fees at \$50 annually per registration.
ORIGINATING DEPARTMENT:	City Attorney's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	Building and Enforcement Services Director, Finance Director, City Attorney, Acting City Manager
STAFF RECOMMENDATION PRESENTED BY:	Becky Vose, City Attorney – That the Commission approve and adopt Resolution No. 2014-31; Setting Registration Fees for Implementation of Deltona Rental Regulatory License Ordinance.
POTENTIAL MOTION:	“I move to adopt Resolution No. 2014-31; Setting Registration Fees for Implementation of Deltona Rental Regulatory License Ordinance.”
AGENDA ITEM APPROVED BY:	<hr/> Dale A. Baker, Acting City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• Resolution No. 2014-31

RESOLUTION NO. 2014-31**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, SETTING REGISTRATION FEES FOR IMPLEMENTATION OF DELTONA RENTAL REGULATORY LICENSE ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Article VIII, Section 2(b) of the Florida Constitution states that municipalities shall have the governmental powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City Commission of the City of Deltona enacted Ordinance No. 11-2014, the Deltona Rental Regulatory License Ordinance to establish a process to address the regulations for the rental of residential dwelling units. It was the city's further intent to establish a registration fees as a mechanism to ensure reasonable and uniform regulations for the rental of residential dwelling units that will protect the health, safety, property values and general welfare of the people, businesses and industries of the city; provide the means to give adequate notice to owners of residential dwelling units in the city who do not reside in that property as to their responsibilities under city codes and ordinances; that rental residential dwelling units are maintained in a high quality manner as required of all residential properties; and maintain the tax base of the City of Deltona; and

WHEREAS, Section 36-7 of the Deltona Rental Regulatory License Ordinance provides that a non-refundable annual registration fee in an amount set by resolution of the city commission, shall accompany the registration form required under the ordinance. Such fee shall be determined to generate revenue commensurate with the cost of the regulatory activity.

WHEREAS, it is determined that an annual fee of \$50 per registration under the Deltona Rental Regulatory License Ordinance will generate revenue commensurate with the cost of the regulatory activity, and the administration costs of city personnel in the administration of the Deltona Rental Regulatory License Ordinance provisions.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION
OF THE CITY OF DELTONA, FLORIDA:**

SECTION 1. REGISTRATION FEES. The non-refundable annual registration fee called for under Section 36-7 of the Deltona Rental Regulatory License Ordinance is hereby set at \$50.00 per registration.

SECTION 2. CONFLICTS. All Resolutions or parts of Resolutions insofar as they are inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of any conflict.

SECTION 3. SEVERABILITY. In the event that any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Resolution which shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2014.

JOHN C. MASIARCZYK SR., MAYOR

ATTEST:

JOYCE RAFTERY, CITY CLERK

Approved as to form and legality for use
and reliance by the City of Deltona, Florida

GRETCHEN R. H. VOSE, CITY ATTORNEY