



City of Deltona

REGULAR CITY COMMISSION MEETING
MONDAY, MAY 4, 2015
6:30 P.M.

Mayor
John Masiarczyk

Vice Mayor
Nancy Schleicher
District 4

Commissioners:

Mitch Honaker
District 1

Diane Smith
District 2

Heidi Herzberg
District 3

Brian Soukup
District 5

Chris Nabicht
District 6

Acting City Manager
Dale Baker

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 Commissioner Honaker - Pastor Kelly Santos, The Iglesia Misionera Eslabon de Dios Church, Deltona.**
4. **APPROVAL OF MINUTES & AGENDA:**
 - A. **Approval of Minutes - Regular City Commission Meeting of April 20, 2015.**
 - B. **Additions or Deletions to Agenda.**
5. **PRESENTATIONS/AWARDS/REPORT:**
 - A. **Presentation - Super Star Student of the Month Certificates for April, 2015.**
 - B. **Presentation of Inductee to the Wall of Fame - Former Commissioner Lucille Wheatley.**

- C. Proclamation - Older Americans Month - May, 2015.
- D. Proclamation - National Association of Letter Carriers "Stamp Out Hunger" Food Drive Day.
- E. Presentation - Florida/Final Mile Race Management, LLC.
- F. Presentation - Quarterly Reports of City Advisory Boards/Committees.

6. CITY COMMISSION SPECIAL REPORTS:

- 7. 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. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

8. CONSENT AGENDA:

- *A. Request for approval of proposed changes to the By-Laws for the Economic Development Advisory Board, William S. Harvey Deltona Advisory Board and Parks and Recreation Advisory Board.
- *B. Request for approval of guidelines for Use of Deltona Facilities CC99-004.

9. ORDINANCES AND PUBLIC HEARINGS:

- A. Public Hearing - Ordinance No. 03-2015, Rezoning Application (RZ15-001) Hess Gas Station.

10. OLD BUSINESS:

11. NEW BUSINESS:

12. CITY ATTORNEY COMMENTS:

13. CITY MANAGER COMMENTS:

- A. Lobbyist Update.

14. CITY COMMISSION COMMENTS:

15. 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:** 5/4/2015
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 3 - A
SUBJECT: Invocation Presented by Commissioner Honaker - Pastor Kelly Santos, The Iglesia Misionera Eslabon de Dios Church, Deltona.

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 Manager's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	Acting City Manager
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:** 5/4/2015
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 4 - A
SUBJECT: Approval of Minutes - Regular City Commission Meeting of April 20, 2015.

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 April 20, 2015.
POTENTIAL MOTION:	"I move to approve the minutes of the Regular City Commission Meeting of April 20, 2015."
AGENDA ITEM APPROVED BY:	<hr/> Dale Baker, Acting City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• Minutes of April 20, 2015

**CITY OF DELTONA, FLORIDA
REGULAR CITY COMMISSION MEETING
MONDAY, APRIL 20, 2015**

1 A Regular Meeting of the Deltona City Commission was held on Monday, April 20, 2015 at the City
2 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	Nancy Schleicher	Present
12	Commissioner	Heidi Herzberg	Present
13	Commissioner	Mitch Honaker	Present
14	Commissioner	Chris Nabicht	Present
15	Commissioner	Diane Smith	Present
16	Commissioner	Nancy Soukup	Present
17	Acting City Manager	Dale Baker	Present
18	City Attorney	Becky Vose	Present
19	City Clerk	Joyce Raftery	Present

20
21 Also present: Public Works/Deltona Water Director Gerald Chancellor; Planning and Development
22 Services Director Chris Bowley; Fire Chief Mark Rhame; Parks & Recreation Director Steve Moore
23 and VCSO Captain Eagan.

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

26
27 **A. Silent Invocation Presented by Mayor Masiarczyk.**

28
29 The National Anthem was sung by 9th grade DeLand High School student Ashley Leahy.

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

32
33 **A. Minutes:**

34
35 **1. Approval of Minutes – Regular City Commission Meeting of April 6, 2015.**

36
37 **Motion by Commissioner Herzberg, seconded by Vice Mayor Schleicher to approve the minutes**
38 **of the Regular City Commission Meeting of April 6, 2015, as corrected.**

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

43
44 **B. Additions or Deletions to Agenda:**

45
46 **Acting City Manager Dale Baker requested to pull Item 9-A from the agenda and the**
47 **Commission concurred.**

48 **5. PRESENTATIONS/AWARDS/REPORTS:**

49

1 **A. Presentation - William S. Harvey Deltona Scholarship Award Certificates.**

2
 3 Mayor Masiarczyk and the Commission presented Certificates of Recognition to the William S. Harvey
 4 Deltona Scholarship Award recipients.

5
 6 **B. Presentation - Traveling Trophy from the American Lung Association's Fight for Air**
 7 **Climb - 1st Place - Overall Firefighter Award for Best Times and Highest Fundraising 2015.**

8
 9 Mayor Masiarczyk and the Commission along with the American Lung Association's Flight for Air
 10 Climb presented the Traveling Trophy to Fire Chief Rhame and the Deltona Firefighters for 1st Place in
 11 Overall Firefighter Award for Best Times and Highest Fundraising 2015.

12
 13 **C. Presentation by Team Volusia Economic Development Corporation (EDC).**

14
 15 Mr. Keith Norden and Mr. John Wannamaker, Team Volusia Economic Development Corporation
 16 (EDC) gave a presentation with a brief update on funding and what the group is working on.

17
 18 **D. Presentation - Quarterly Reports of City Advisory Boards/Committees.**

19
 20 Mayor Masiarczyk stated the Quarterly Reports are in written form and are attached.

21
 22 **6. CITY COMMISSION SPECIAL REPORTS:**

23
 24 Commissioner Nabicht stated he attended the Transportation Roundtable where a strategy for the
 25 best way to move forward with the \$0.01 sales tax for use on transportation projects. He stated he
 26 had asked for the list of projects that the City had submitted and stressed that the City needs to have
 27 these projects.

28
 29 Mayor Masiarczyk asked the Acting City Manager to forward a copy of that list of transportation
 30 projects that was given out at the Elected Officials Roundtable to all of the Commissioners.

31
 32 Commissioner Nabicht stated the direction Volusia County is heading is to have the sales tax move
 33 forward on the 2016 election ballot but, with an educational campaign prior to the election for the
 34 public explaining that the money would be split up between the County and the cities, the County's
 35 part of the \$0.01 sales tax would fund Votran, the County's part of SunRail once the Florida
 36 Department of Transportation (FDOT) subsidy runs out, major road projects that run through
 37 multiple cities and that the cities' part would be determined by the cities.

38
 39 Mayor Masiarczyk stated he attended the Elected Officials meeting where there was discussion
 40 about homelessness, transportation, water related issues with Amendment 1 and beach driving, he is
 41 not hearing much from the public regarding beach driving and he asked the public to let the City
 42 know of any questions or suggestions, he reminded the public that beach driving does effect
 43 residents on the west side as tax payer money is being used to buy land for parking and some of the
 44 cities along the beach are discussing charging fees for the off beach parking and he thanked Vice
 45 Mayor Schleicher for running the meeting in his absence and for attending a meeting in Seminole
 46 County and he thanked Commissioner Nabicht for filling in at a couple of other meetings.

47
 48 Vice Mayor Schleicher stated at the "State of the Cities" event in Seminole County where there was

1 discussion on economic development, unemployment and shared regional interests, she had spoken
2 with Mr. Mayes to get ideas and some bullet points to present at the event, she was well received by
3 the Seminole County officials and she pointed out the officials were very impressed with the City's
4 employment numbers going from 12.9% in the fourth quarter of 2010 to 5.5% the same quarter in
5 2014. She stated the City of Deltona is close to Sanford and Lake Mary and it was important that the
6 City look at regional issues and work together.

7
8 Mayor Masiarczyk stated there was a meeting at the Summit Building where there was discussion
9 about SunRail alternatives of possibly touching Highway 472 to service Deltona, Orange City and
10 DeLand and Eastside/Westside corridors with hopes that someday SunRail will go to the airport in
11 Daytona.

12
13 Commissioner Herzberg stated she substituted for Mayor Masiarczyk on the Water Roundtable Sub-
14 Committee for the Elected Officials Roundtable and she brought back a list of projects for the Acting
15 City Manager and expressed the County and the cities need to be unified when sending these
16 projects to the State and requesting State money, there are different needs between the east side and
17 west side concerning water issues, she attended the River of Lakes Corridor meeting and she asked if
18 the brochures she brought to City Hall were displayed in the lobby, she reminded everyone that the
19 deadline for the nominees for the League of Cities' "Distinguished Service Awards" is Friday and
20 the banquet will be June 4th at the Sanborn Center in DeLand, she also attended the Trans-Connector
21 Study meeting and there were residents in attendance who expressed some needs and she learned
22 from the project manager there were a lot of options and there were not going to be a lot of changes
23 to the Saxon Blvd./I-4 interchange, however, stormwater capture for reclaimed water reuse like was
24 done in Altamonte Springs is being considered instead of lining Saxon Blvd. with retention ponds.
25 She stated the City's new water treatment plant that can treat that water will be a catalyst for this
26 project.

27
28 Mayor Masiarczyk asked if the project manager had shared with Commissioner Herzberg that she
29 was also a consultant on the Altamonte Springs and Commissioner Herzberg replied that the project
30 manager also lives off Saxon Blvd. and there is an understanding of the issues in that area.

31
32 **7. PUBLIC FORUM – Citizen comments.**

33
34 a) Joe DeSousa, 486 Woodford Drive, Deltona, West Volusia Youth Football & Cheer
35 Association, requested that lights be added to the fields at Wes Crile Park and he asked that the
36 association have access for practices. He stated the fields at Deltona High School are unusable due to
37 the unsafe conditions and he provided photos of those conditions and he stated there is a simple solution
38 to add the lights that have already been approved by moving the project from being "unfunded" to be
39 "funded" and he asked that someone on the Commission please make a motion to move the funds.

40
41 Commissioner Soukup asked Mr. Moore how long it would take to put lights up and Mr. Moore replied
42 once the purchase order is written and approved it would take approximately eight (8) to ten (10) weeks.

43
44 Commissioner Herzberg stated it was her understanding that the Panthers use Dewey Boster Sports
45 Complex and Mr. Moore replied that is correct. She asked Mr. Moore if the City puts lights at Wes
46 Crile Park is there the space available to accommodate the amount of kids in these programs and Mr.
47 Moore replied the City can allow the programs to practice there by utilizing part of the Little League
48 fields which would need to be worked out with that organization but, there is not enough room at Wes

1 Crile Park to play the games. Commissioner Herzberg asked if the football teams practice in the day
 2 time will that run into the baseball's schedule and Mr. Moore replied typically in the past the City has
 3 not supported any football programs for spring conditioning because of other things going on and it is
 4 soccer season now. Mr. Moore stated in the past the Panthers have been allowed to use the multi-
 5 purpose fields a Dewey Boster Sports Complex in August.

6
 7 Commissioner Smith stated she understood the lights had been approved but, not funded and she asked
 8 the Acting City Manager what it would take to move this project to it is funded and the Acting City
 9 Manager replied the lights were put in the budget in case Dupont Lakes Park was sold to make a
 10 softball field. The Acting City Manager stated the money from the sale of Dupont Lakes Park was to be
 11 used to pay for the lights, that is why the lights are not funded and it would take a budget amendment to
 12 move the money. Commissioner Smith stated the City is in good financial standing and she feels the
 13 City can do this as there seems to be an inequity amongst organizations.

14
 15 **Motion by Commissioner Smith, seconded by Commissioner Nabicht to amend the budget to**
 16 **transfer the funds to allow for lighting at Wes Crile Park.**

17
 18 Commissioner Nabicht asked Mr. Moore if there would be any additional funds needed to make sure
 19 the fields are playable for the kids and Mr. Moore replied he would make sure the fields are playable.

20
 21 Commissioner Soukup asked Mr. Moore how much this would run into baseball and Mr. Moore replied
 22 he would address that with the baseball people tomorrow.

23
 24 Mayor Masiarczyk opened and closed the public hearing.

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

29
 30 b) Victor Ramos, 1555 Saxon Blvd., Deltona, thanked Mr. Chancellor and Commissioner Soukup
 31 for having the two (2) directional signs for Bethune Cookman University (BCU) Deltona Campus
 32 installed on Saxon Blvd., he stated BCU is bringing collegiate soccer to Deltona and will be aligned
 33 with the Southeast Soccer Alliance and he named some of the teams, BCU now will have dual
 34 enrollment for Deltona High, Pine Ridge High and University High Schools and he is 90% sure there
 35 will be transportation for the students and lastly he spoke about an open house that will take place on
 36 Tuesday, April 28th at 5:30 p.m. that will include an informational session about the dual enrollment.

37
 38 c) Dan Dudley, 1089 Pearl Tree Rd., Deltona, stated he had some concerns regarding a catch basin
 39 lid in disrepair near the entrance to Sterling Park Subdivision and he stated he had looked into rumble
 40 strips for the intersection at a 4-way stop at Sterling Silver Blvd. and Pearl Tree Rd. where people are
 41 running the stop signs. He suggested the Sheriffs' Office should have motorcycle units patrol that area
 42 between 6:30 – 7:30 a.m. and 3:30 – 5:30 p.m. He stated there has been additional traffic from the
 43 construction but, everything is progressing well.

44
 45 d) Mike Williams, 2889 Cottageville St., Deltona, stated John Wannamaker is doing a great job, he
 46 encouraged everyone to attend the City Manager Meet and Greet and interviews that will take place on
 47 Saturday, he spoke about the West Volusia Freedom Fund Banquet and he ask that the City participate
 48 with the event next year, he will have results of a National Association for the Advancement of Colored

1 People (NAACP) investigation regarding hiring practices by the City next week and he will be sitting
 2 down with the Acting City Manager to review the findings and finally he is trying to get signatures for
 3 the Second Chance petition that would restore felon's rights and be able to vote.

4
 5 **8. CONSENT AGENDA:**

6
 7 Commissioner Herzberg asked to pull Item 8-B for discussion.

8
 9 **Motion by Commissioner Nabicht, seconded by Commissioner Herzberg to approve Consent**
 10 **Agenda Items 8-A and 8-C.**

11
 12 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
 13 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For;**
 14 **Commissioner Soukup, For; Vice Mayor Schleicher, For; and Mayor Masiarczyk, For.**

15
 16 ***A. Request to sunset the DEDAB Educational and Medical Sub-Committee and the**
 17 **DEDAB Commerce Park Research Project Sub-Committee.**

18
 19 **Approved by Consent Agenda - to approve the sunseting of the DEDAB Educational and**
 20 **Medical Sub-Committee and the DEDAB Commerce Park Research Project Sub-Committee**
 21 **effective this date.**

22
 23 **B. Request for approval of changes to the Deltona Economic Development Advisory Board**
 24 **By-Laws.**

25
 26 Commissioner Herzberg stated she believed the by-laws had just been revised and wondered why
 27 these revisions were made. She asked if all the boards and committees will have Section 5 added or
 28 just this advisory board and the Acting City Manager replied just this advisory board. Mr. Mayes
 29 stated since the two (2) Deltona Economic Development Advisory Board (DEDAB) Sub-
 30 Committees were being sun-setted he wanted to utilize the members that were on those Sub-
 31 Committees as alternates for the DEDAB.

32
 33 The Commission discussed one (1) year terms being too short and should be at least two (2) years,
 34 City Attorney Vose possibly making a change when the members' terms come due to be reappointed
 35 or appointed for two (2) years, in Section 5 regarding alternate members whether it is a good idea for
 36 them to be part of a quorum, the advisory board/committee chair having the right to appoint up to
 37 four (4) alternates and if that was giving up the Commissions' appointment ability, if alternate
 38 member resigned would the Commission appoint a new alternate, the alternates currently being none
 39 Commission appoints, the board members being conceived as under the control of the
 40 board/committee chair person and would members be chosen at random.

41
 42 Mr. Mayes stated the alternates were already part of the DEDAB Sub-Committees, have submitted
 43 applications and the applications have been processed through the City Clerk's Office just like any
 44 of the DEDAB members which were appointed by the Commission.

45
 46 Commissioner Nabicht stated there is not a problem with the people but, it is a process issue and the
 47 boards should be set up by the Commission and the members should be appointed by the
 48 Commission.

1
2 Mrs. Vose suggested bringing all the by-laws back at one time.

3
4 **Motion by Commissioner Nabicht, seconded by Vice Mayor Schleicher to table Item 8-B.**

5
6 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
7 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For;**
8 **Commissioner Soukup, For; Vice Mayor Schleicher, For; and Mayor Masiarczyk, For.**

9
10 ***C. Request for approval of the Southwest Volusia Community Redevelopment Area**
11 **(CRA).**

12
13 **Approved by Consent Agenda - to approve of the use of Strategic Planning Group to complete**
14 **its scope of services to achieve a delegation of authority from Volusia County for the Southwest**
15 **Volusia Community Redevelopment Area (CRA) and to allocate funds in the attached budget**
16 **amendment to achieve that effort.**

17
18 **9. ORDINANCES AND PUBLIC HEARINGS:**

19
20 **A. Public Hearing - Resolution No. 2015-10, Final Assessment for the creation of the London**
21 **Avenue Street Lighting District.**

22
23 Item was pulled by Acting City Manager Dale Baker.

24
25 **B. Public Hearing - Resolution No. 2015-11, Final Assessment for the creation of the**
26 **Coachman Drive Street Lighting District.**

27
28 Mayor Masiarczyk opened the public hearing.

29
30 Gary Townsend, 3444 Coachman Drive, Deltona, stated he was in favor of the street lighting district
31 as it is a safety issue.

32
33 Mayor Masiarczyk closed the public hearing.

34
35 **Motion by Commissioner Honaker, seconded by Commissioner Nabicht to adopt the Final**
36 **Assessment Resolution No. 2015-11, creating the Coachman Drive Street Lighting District.**

37
38 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
39 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For;**
40 **Commissioner Soukup, For; Vice Mayor Schleicher, For; and Mayor Masiarczyk, For.**

41
42 Resolution No. 2015-11 was approved at 7:52 p.m.

43
44 **C. Public Hearing - Arbor Ridge Unit 5 Final Plat (FP 14-002).**

45
46 Vice Mayor Schleicher stated she had a question concerning the number of homes as the final
47 showed 81 but, in the construction plan it showed 77 and Mr. Bowley replied it is a five (5) stage
48 subdivision and on the plat there were some solid lines that looked like additional lots were being

1 added but, the lines should have been dashes. Mr. Bowley stated the plat was corrected to show it
 2 was always 77 lots.

3
 4 Commissioner Soukup asked if anything was going to be done to beautify the entrance into the
 5 neighborhood by Deltona High School as it is on the main road into the City and Mr. Bowley replied
 6 Arbor Ridge is way in the back and that entrance is to another subdivision.

7
 8 Mayor Masiarczyk referred to the plat on Page 302 and he asked why Alling Court is not a finished
 9 cul-de-sac and Mr. Bowley replied there will be roadway extensions through the project so Berkshire
 10 Woods Terrace will be extended through from Phase 4, Sorel Court will extend east and then down,
 11 Teak Drive will come back through the subdivision and then there will be a cul-de-sac where it
 12 terminates called Teak Court.

13
 14 Mayor Masiarczyk opened the public hearing.

15
 16 Steve Buswell, Parker Mynchenberg & Associates, 1729 Ridgewood Avenue, Holly Hill, who is the
 17 engineer of record offered to answer any questions.

18
 19 Robert Jakubowski, 3473 Heath Drive, Deltona, asked when the construction will start, will the
 20 access for the trucks be Heath Drive or the other end and he asked who he could speak with about
 21 his concerns that nobody maintains the hills behind his residence and he would like a wall. Mayor
 22 Masiarczyk replied Mr. Jakubowski would need to speak with the City's engineer Mr. Chancellor or
 23 the Acting City Manager.

24
 25 Mayor Masiarczyk closed the public hearing.

26
 27 **Motion by Commissioner Honaker, seconded by Commissioner Soukup to approve the Arbor**
 28 **Ridge Unit 5 Final Plat (FP 14-002).**

29
 30 Commissioner Nabicht asked Mr. Bowley if Volusia County said water could be provided for the 77
 31 additional houses and has the City verified those calculations and Mr. Bowley replied a set of plans
 32 were sent to Volusia County as well as to utilities and had received positive feedback.
 33 Commissioner Nabicht stated there were water supply issues when the movie theater was built and
 34 knowing Volusia County had not sunk any new wells to increase capacity so he wondered what the
 35 impact would be on an already strained water system and Mr. Bowley replied it will definitely have
 36 an impact.

37
 38 **Motion carried with members voting as follows:**

39
 40 **Commissioner Herzberg For**
 41 **Commissioner Honaker For**
 42 **Commissioner Nabicht Against**
 43 **Commissioner Smith For**
 44 **Commissioner Soukup For**
 45 **Vice Mayor Schleicher For**
 46 **Mayor Masiarczyk For**
 47

1 **D. Public Hearing - Ordinance No. 04-2015, Creating a new Chapter 45, "Panhandling,"**
 2 **of the Deltona Code of Ordinances, making findings, providing definitions, and prohibiting**
 3 **certain acts.**

4
 5 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

6
 7 **Motion by Commissioner Herzberg, seconded by Honaker to adopt Ordinance No. 04-2015 at**
 8 **second and final reading.**

9
 10 Commissioner Nabicht asked Captain Eagan if he had gone over this ordinance and had it been run by
 11 the Volusia County Sheriffs' Office (VCSO) legal department and Captain Eagan replied "yes".

12
 13 City Attorney Becky Vose read the title of Ordinance No. 04-2015.

14
 15 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, CREATING A NEW**
 16 **CHAPTER 45, "PANHANDLING," OF THE DELTONA CODE OF ORDINANCES,**
 17 **MAKING FINDINGS, PROVIDING DEFINITIONS, PROHIBITING CERTAIN ACTS,**
 18 **AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND**
 19 **EFFECTIVE DATE.**

20
 21 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
 22 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For;**
 23 **Commissioner Soukup, For; Vice Mayor Schleicher, For; and Mayor Masiarczyk, For.**

24
 25 Ordinance No. 04-2015 was approved at 8:03 p.m.

26
 27 **10. OLD BUSINESS:** None.

28
 29 **11. NEW BUSINESS:**

30
 31 Mayor Masiarczyk stated tomorrow the Florida Senate will be talking about a bill regarding utility
 32 locations that would affect the City considerably and the City is totally opposed to that bill. He asked
 33 that everyone please take time to email the legislature as it would be of enormous cost to the City.

34
 35 **12. CITY ATTORNEY COMMENTS:** None.

36
 37 **13. CITY MANAGER COMMENTS:**

38
 39 **A. Lobbyist Update:**

40
 41 Acting City Manager Dale Baker stated he spoke with the lobbyist and it does not appear to be a
 42 consensus on the State budget so the legislature will be taking a three (3) week break and come back
 43 in Special Session near the end of May. He stated the City does feel good about the projects the City
 44 had proposed being funded.

45
 46 **14. CITY COMMISSION COMMENTS:**

47
 48 a) Commissioner Smith stated Music in the Amphitheater was great and she was glad to see the

1 turnout and the Volunteer Appreciation Luncheon was great and she thanked everyone that was
2 involved. She asked everyone to look at the check at the front of the room with the number of volunteer
3 hours documented and she thanked the volunteers for helping make the community so special.
4

5 b) Commissioner Honaker stated he agreed with Commissioner Smith regarding the events, the
6 Pine Ridge High girls flag football team defeated Mainland 20 - 0 and won the Five (5) Star
7 Championship Conference and will be moving on to the District competition. He stated middle class
8 income in Florida is considered to be a little over \$30,000 - \$92,000 and he reminded everyone that the
9 Relay For Life Event takes place from 2:00 p.m. on May 2nd to 2:00 a.m. on May 3rd at Dewey O.
10 Boster Sports Complex.
11

12 c) Commissioner Nabicht stated he attended the Volunteer Appreciation Luncheon and he
13 expressed the importance of the residents getting involved, he will be touring Florida Hospital on Saxon
14 Blvd., that the HWY 415 project is about 99% complete but, he suggested there needed to be yellow
15 signage on Hwy 415 for Ft. Smith Blvd. about 500 feet in advance of where Ft. Smith Blvd. meets Hwy
16 415 and on Saturday the City will have interviews and the selection of the new City Manager and he
17 asked to change the next Workshop to a Special Meeting to discuss establishing a framework and list of
18 priorities for the new City Manager within the first 30 – 90 days.
19

20 The Acting City Manager suggested sending out a list of topics for the new City Manager to the
21 Commission to review and set priorities.
22

23 d) Commissioner Soukup asked everyone to come to the City Manager Meet and Greet and
24 interviews on Saturday so the Commission can have input.
25

26 e) Commissioner Herzberg stated she forwarded a copy of a City of Coral Gables squatters'
27 ordinance to the Acting City Manager and she asked Mrs. Vose to review and check with Captain
28 Eagan to see if this is something the City could look at, she thanked VCSO for its attention to the
29 problems at the plaza on Saxon Blvd., she asked if the City was observing "Earth Day" and she asked to
30 have the visioning session schedule in place for when the new City Manager arrives. The Acting City
31 Manager replied he has a proposal for Mrs. Crotty to facilitate the visioning session but, it has not been
32 scheduled and it can be scheduled if the Commission wants.
33

34 f) Vice Mayor Schleicher stated she would like the City to work with VCSO to bring the Police
35 Athletic League (PALS) program to Deltona, she suggested a botanical garden could be put at Thornby
36 Park along with a display of the Camp Kingsbury Fort military encampment which predated Enterprise
37 and she suggested looking for available grants.
38

39 g) Mayor Masiarczyk stated the PALS program has very stringent requirements and costs and he
40 suggested an alternative of a youth versus public safety program with quarterly games, he asked
41 Commissioner Soukup to head up the program. He stated he asked the Deltona Arts Club to display
42 "Artist of the Month" art pieces at a set location here at City Hall, he thanked Captain Eagan's and
43 VCSO's handling of the car show event on Saxon Blvd. and he spoke about the Veterans from the Lake
44 Nona Medical Center visiting the Deltona Veterans Memorial Park. He stated the visit was so well
45 liked by the veterans that the trip will become a regular outing. He stated Saul Saenz from News
46 Channel 13 had heard about the story and did a television spot and after the spot ran the attendance on
47 the weekend has increased about 10 times with visitors coming from Ormond Beach and other cities
48 from the east side of the County.
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50 **14. ADJOURNMENT:**

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There being no further business, the meeting adjourned at 8:30 p.m.

John Masiarczyk Sr., Mayor

ATTEST:

Janet Day, Deputy City Clerk



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 5/4/2015
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 5 - A
SUBJECT: Presentation - Super Star Student of the Month Certificates for April, 2015.

LOCATION:

N/A

BACKGROUND:

Superstar Student of the Month awards for April, 2015, will be presented to:

1. Deltona Lakes Elementary, Kaysha Roman, Kindergarten
2. Discovery Elementary, Jaylyn Edwards, 5th Grade
3. Enterprise Elementary, Gabriella Surun, 4th Grade
4. Friendship Elementary, Brianna Phillips, 5th Grade
5. Pride Elementary, Isabela Buffit, 5th Grade
6. Spirit Elementary, Deijalis Cordero, 5th Grade
7. Timbercrest Elementary, Mindy Andro, 5th Grade
8. Galaxy Middle, Sahillyann Velez Kercado, 7th Grade
9. Heritage Middle, Noah Leonard, 8th Grade
10. Deltona High, Alexis Cruz, 12th Grade
11. Pine Ridge High, the BeeGee's, a group of mentors who make a difference in Exceptional Student Education (ESE) students:

- Ashley Oelschlager - 12th Grade
- Dillon McCollough - 12th Grade
- Dale Root - 12th Grade
- Josh Tackett - 12th Grade
- Johnathan Duncan - 12th Grade
- Trevor Brown - 12th Grade
- Ashton Hathaway - 12th Grade
- Derek Roberts - 12th Grade
- Jade Lippens - 12th Grade
- Kashiona Dunlap - 12th Grade
- Hannah Rhyne - 11th Grade

ORIGINATING DEPARTMENT:

City Manager's Office

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

City Clerk

**STAFF
RECOMMENDATION
PRESENTED BY:**

N/A - Presentation Only.

**POTENTIAL
MOTION:**

N/A - Presentation Only.

**AGENDA ITEM
APPROVED BY:**

Dale Baker, Acting City Manager

ATTACHMENTS:

- April 2015 Super Star Achievements

Super Star Students Read File – April 2015 presented on May 4, 2015.

Teacher	School	Student	Grade	Reading Comments on Student Achievements
Miss Jennie Maldonado	Deltona Lakes Elementary	Kaysha Roman	Kindergarten	<p>Kaysha Roman, a Kindergarten student at Deltona Lakes Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence. Kaysha is doing very well in all subject areas. • Kaysha is always an example to her classmates in how to treat others and always uses kind words. • Kaysha is a great helper to her teacher, is always eager to assist others in any way she can, and is always there to encourage others.
Mrs. Cote	Discovery Elementary	Jaylyn Edwards	5th	<p>Jaylyn Edwards, a 5th grade student at Discovery Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence and excellent study skills. • She is responsible and an outstanding school citizen. • Jaylyn is very helpful to her teacher, peers, and family. • She has outstanding thinking skills.

Ms. Jane Cummings	Enterprise Elementary	Gabriella Surun	4th	<p>Gabriella Surun, a 4th grade student at Enterprise Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Gabriella is an excellent student. • She has a positive attitude inside and outside of the classroom. • Gabriella is honest, caring, and responsible. • She treats others with kindness and respect. • Gabriella values learning and education. • She accepts challenges with a smile.
Mrs. Watson	Friendship Elementary	Brianna Phillips	5th	<p>Brianna Phillips, a 5th grade student at Friendship Elementary, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Her high academic performance; Brianna is on the Honor Roll. • Brianna demonstrates responsibility in her role as Acting Team Captain for Safety Patrols. • Brianna can be counted on to help others with a smile and caring attitude. • She is a reliable, hard worker who is friendly and respectful to all.

Mr. Churms	Pride Elementary	Isabella Buffit	5th	<p>Isabella Buffit, a 5th grade student at Pride Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Isabella is a very special young girl, inside and out. • Her brother is in my class and she knows he is struggling in reading. She comes in each morning to my classroom before school and sits with him and makes sure he completes his assignments. She repeatedly tells him how much she believes in him and she tells him how hard he needs to work in school. She never leaves to go to her class without giving him a hug. • One day she spoke to my group of 4th graders about how hard they need to work in the classroom. Ever since she talked to my students, my students have been pushing harder. • Isabella has a great head on her shoulders and she really cares about her brother and what it takes for him to be successful.
Mr. Prestwood	Spirit Elementary	Deijalis Cordero	5th	<p>Deijalis Cordero, a 5th grade student at Spirit Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Demonstrates Academic excellence by receiving straight A's in all subjects for the school year. • Displays her responsibility and citizenship by participating in school programs, such as news team and FFEA. • Deijalis constantly does an excellent job developing questions and making connections.

Mrs. DeRose	Timbercrest Elementary	Mindy Andro	5th	<p>Mindy Andro, a 5th grade student from Timbercrest Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Mindy is a hard working student who strives to do her best at all times. • She excels in science and math. • Mindy works well independently and with others and is a leader in the classroom. • She is always looking to fully understand the concepts and ideas taught in class and is excellent at discussing what she is learning.
Mr. DeRosier	Galaxy Middle	Sahillyan Velez Kercado	7th	<p>Sahillyan Velez Kercado, a 7th grade student from Galaxy Middle School is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence – Sahillyan is in advanced classes, including a high school math class. She is maintaining a 3.9 GPA. • She is an outstanding school citizen, participating in chorus, keyboarding, yearbook. • She also participated in the technology club, building a “Rube Goldberg Machine.” • Sahillyan is always friendly and helpful to both adults and her peers.
Mr. Thompson, Ms. Dempsey, Mr. Broomall, Mr. Dunaway, Mr. Holland	Heritage Middle	Noah Leonard	8th	<p>Noah Leonard, an 8th grade student from Heritage Middle School is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Noah is not only a very intelligent young man, but one of the kindest students ever taught. • He is a great role model for other students and is always willing to go “the extra mile” to submit first-class quality work.

LTC Moore-Lobbon	Deltona High	Alexis Cruz	12th	<p>Cadet Alexis Cruz, a 12th grade student from Deltona High School is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Cadet Cruz holds the second highest position in the Deltona High School Army JROTC Program, where she is responsible as a student leader in supporting approximately 217 subordinate cadets in a wide range of classroom, school and community service events and activities. • Just recently, in collaboration with the JROTC instructors, Cadet Cruz planned, coordinated and organized several school-wide events in support of Cancer Awareness Month. Most notable is her direct participation in the planning, set-up and execution of the 1st Annual JROTC City-wide 5K Cancer Fun Walk.; an event that involved both Deltona High School and the surrounding communities. • Cadet Cruz has also been actively involved in community initiatives involving feeding the homeless at local soup kitchens as a volunteer; preparing food baskets during thanksgiving for needy families; and visiting veterans at area facilities in support of Veterans Day.
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<p>ESE Department</p>	<p>Pine Ridge High</p>	<p>Ashley Oelschlager Dillon McCollough Dale Root Josh Tackett Johnathan Duncan Trevor Brown Ashton Hathaway Derek Roberts Jade Lippens Kashiona Dunlap Hannah Rhyne</p>	<p>12th 12th 12th 12th 12th 12th 12th 12th 12th 12th 11th</p>	<p>The BeeGee’s, a group of mentors from Pine Ridge High School are receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Being a friend to those in need. • Demonstrating compassion. • Making a difference in the lives of Exceptional Student Education (ESE) students at PRHS.
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AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 5/4/2015
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 5 - B
SUBJECT: Presentation of Inductee to the Wall of Fame - Former Commissioner Lucille Wheatley.

LOCATION:

N/A

BACKGROUND:

At the William S. Harvey Deltona Scholarship Advisory Board held on March 19, 2015 the Board reviewed and recommended Former Commissioner Lucille Wheatley's nomination to the Wall of Fame. The Board's recommendation was approved by the City Commission at the Regular City Commission Meeting held on Monday, April 6, 2015.

ORIGINATING DEPARTMENT:

City Clerk's Office

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

City Clerk

STAFF RECOMMENDATION PRESENTED BY:

N/A - Presentation Only.

POTENTIAL MOTION:

N/A - Presentation Only.

AGENDA ITEM APPROVED BY:

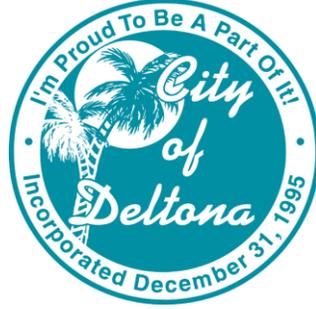
Dale Baker, Acting City Manager



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 5/4/2015
FROM: Dake Baker, Acting City Manager **AGENDA ITEM:** 5 - C
SUBJECT: Proclamation - Older Americans Month - May, 2015.

LOCATION:	City - Wide
BACKGROUND:	A Proclamation for Older Americans Month and to recognize May 3-9 as Celebrate Older Americans Food Drive Week in Volusia County. COA, AARP, Florida Health Care Plans, Humana, Ormond by the Sea Lions Club and Walgreens have joined forces to conduct this Food Drive to assist at risk seniors who go hungry every day and that we, as a community, can make a difference.
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">• Older Americans Month Proclamation



***WHEREAS**, the month of May is celebrated as Older Americans Month all across the country; and*

***WHEREAS**, the year 2015 marks the 50th year anniversary of the Older Americans Act which funds services that help older adults remain healthy and independent by complementing existing medical and health care systems, helping prevent hospital readmissions, and supporting some of life's most basic functions, such as bathing or preparing meals; and*

***WHEREAS**, over 30% of Volusia County residents are currently aged 60+ and 14% of elder households live below median income, the number of struggling seniors who will be left behind, alone and hungry without the support of the local community will grow exponentially over the coming year; and*

***WHEREAS**, COA, AARP, Florida Health Care Plans, Humana, Ormond by the Sea Lions Club and Walgreens have joined forces here in Volusia County to conduct a Food Drive during the month of May to assist at risk seniors who go hungry every day and that we, as a community, can make a difference.*

***NOW THEREFORE**, we, the Mayor and City Commissioners of the City of Deltona, Florida, do hereby proclaim May 2015 to be*

“Older Americans Month”

and May 3-9, as Celebrate Older Americans Food Drive Week in Volusia County and encourage all citizens to join with COA, AARP and Walgreens in recognizing this momentous occasion.

***EXECUTED** this 4th day of May, 2015.*

John Masiarczyk, Mayor





AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 5/4/2015
FROM: Dake Baker, Acting City Manager **AGENDA ITEM:** 5 - D
SUBJECT: Proclamation - National Association of Letter Carriers "Stamp Out Hunger"
Food Drive Day.

LOCATION:	N/A
BACKGROUND:	Proclamation to recognize the letter carriers who coordinate and help execute the Florida Letter Carriers Food Drive each year.
ORIGINATING DEPARTMENT:	City Manager's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Clerk
STAFF RECOMMENDATION PRESENTED BY:	N/A - Presentation Only.
POTENTIAL MOTION:	N/A - Presentation Only.
AGENDA ITEM APPROVED BY:	<hr/> Dake Baker, Acting City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• NALC Stamp Out Hunger National Food Drive Day



WHEREAS, an estimated 49 million people face hunger every day in America, including 16 million children and 5 million senior citizens; and

WHEREAS, on Saturday, May 9, 2015, letter carriers throughout Florida will participate in one of the United States' largest annual food drives; and

WHEREAS, the effort of letter carriers represented by the National Association of Letter Carriers (NALC), with the help of rural letter carriers, other postal employees and numerous other volunteers has resulted in delivery of more than 1.3 billion pounds of donations to community food banks and pantries over the past 22 years. Locally, Florida collected 14 million pounds, and the NALC Branch 1091 collected over 1,000,000 pounds of food last year; and

WHEREAS, food donated by generous Floridians and transported by letter carriers will be delivered to shelters, churches and other charitable organizations for distribution to those in need; and

WHEREAS, we are all proud to recognize the letter carriers who coordinate and help execute the Florida Letter Carriers Food Drive each year, and commend everyone in Florida who contributes to this worthy cause.

NOW THEREFORE, We, the Mayor and City Commission of Deltona do hereby recognize Saturday, May 9, 2015, as

“NALC ‘Stamp Out Hunger’ National Food Drive Day”

in the City of Deltona and urge all residents to support this cause by placing non-perishable food items in or near your mailbox on food drive day.

EXECUTED this 4th day of May, 2015.

John Masiarczyk, Mayor



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 5/4/2015
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 5 - E
SUBJECT: Presentation - Florida/Final Mile Race Management, LLC.

LOCATION:

N/A

BACKGROUND:

The City of Deltona and Halifax Health have been teaming up for healthy hearts each February for the last three years. The year's "*Love Your Heart - 5K Run*" was a benefit for the American Heart Association. The race takes place on the Saturday in February closest to Valentine's Day. The race starts at 7:30 a.m. at Deltona Middle School, 250 Enterprise Road, and follows the new "*River-2-Sea Trail*", looping at Thornby Park and returning to the school.

While this is be a competitive 5K Race, chip-timed with age bracket awards, walkers are welcome. It is a family event with a fun run for children, a bounce house, and face painters.

In 2013 the race raised \$4,484.64 for the AHA. In 2014 the amount raised was \$5,176.09. This year (2015), the amount raised exceeded \$6,054.25.

Check presentation by Halifax Health, City Commission, and Final Mile Race Management.

ORIGINATING DEPARTMENT:

City Manager's Office

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

City Clerk, Acting City Manager

STAFF RECOMMENDATION PRESENTED BY:

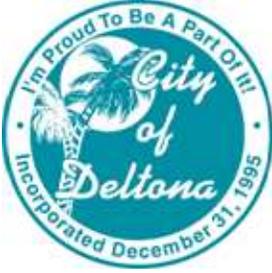
N/A - Presentation Only.

**POTENTIAL
MOTION:**

N/A - Presentation Only.

**AGENDA ITEM
APPROVED BY:**

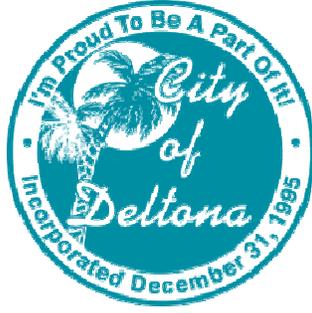
Dale Baker, Acting City Manager



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 5/4/2015
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 5 - F
SUBJECT: Presentation - Quarterly Reports of City Advisory Boards/Committees.

LOCATION:	N/A
BACKGROUND:	Quarterly Reports of City Advisory Boards/Committees: 1) Economic Development Advisory Board - (Presented by Chairman Rick Demeter) 2) Planning and Zoning Board - (Written Report Only) 3) Firefighters' Pension Plan, Board of Trustees - (Presented by Plan Administrator Lisa Spriggs)
ORIGINATING DEPARTMENT:	City Clerk's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Clerk
STAFF RECOMMENDATION PRESENTED BY:	N/A - Presentation Only.
POTENTIAL MOTION:	N/A - Presentation Only.
AGENDA ITEM APPROVED BY:	<hr/> Dale Baker, Acting City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• Deltona Economic Development Advisory Board - 1st Quarter 2015• Planning and Zoning Board - 1st Quarter 2015• Firefighters' Pension Plan - 1st Quarter 2015



DELTONA ECONOMIC DEVELOPMENT ADVISORY BOARD

Q1, 2015

Quarterly Report to Deltona City Commission

May 4, 2015

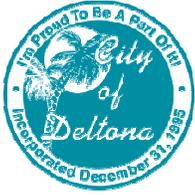
Rick Demeter, DEDAB Chairperson

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Educational & Medical Research Sub-Committee

---and---

**Commerce Park & Performing Arts/Historical Facility
Research Sub-Committee**



DELTONA ECONOMIC DEVELOPMENT ADVISORY BOARD

Educational and Medical Research Sub-Committee

Quarterly Report to DEDAB, Q1-2015

ASSIGNMENTS / TASKS

This DEDAB Sub-Committee was created on August 15, 2011, and assigned the task of performing an advisory role for DEDAB. The Sub-Committee will continue its Commission-assigned task, and will report quarterly on progress made.

EDUCATIONAL & MEDICAL RESEARCH SUB-COMMITTEE MISSION STATEMENT

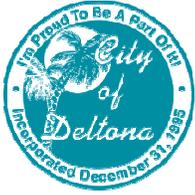
Identify and approach, meet and obtain ideas from each area stakeholder and utilize these ideas toward the proposal for a workable “educated and healthy community”.

GENERAL REPORT

This Sub-Committee meets on the second Friday of every other month, in the Second Floor Conference Room at Deltona City Hall. The meetings start at 10:00 A.M. and are scheduled to last one hour. Meetings are open to the public and public participation is encouraged.

EDUCATIONAL AND MEDICAL RESEARCH SUB-COMMITTEE

- On January 9 this Sub-committee met in its regular bi-monthly meeting. The Sub-committee’s business was based around the viewing of the video recording of the groundbreaking of the Florida Hospital Fish Memorial’s “Deltona Health Center”, located at the Saxon & Sterling Business District.
- In that this Sub-committee meets bi-monthly, there was no February meeting.
- On March 13, the guest speakers were Dr. Daniel Cox and Dr. Kristen Pierce of the Volusia School District. They spoke about “Career and Technological Education” in Volusia District Schools.
- 1. In the March meeting, based on a recommendation of the Deltona Economic Development Advisory Board (DEDAB), this Sub-committee agreed to ask the City of Deltona Commission to relieve it of its current assignments and replace those assignments with a simpler assignment: “Workforce Development”.
2. In this same meeting, the Sub-committee voted to form a single DEDAB Sub-committee which will meet at 3:30 PM every second Friday, in the Second Floor Conference Room, with the Commerce Park and Performing Arts & Historical Facility.



DELTONA ECONOMIC DEVELOPMENT ADVISORY BOARD

Commerce Park & Performing Arts/Historical Facility Research Sub-Committee

Quarterly Report to DEDAB, Q1, 2015

ASSIGNMENTS / TASKS

This DEDAB Sub-Committee was created on August 15, 2011, and assigned the task of performing an advisory role for DEDAB. The Sub-Committee will continue its Commission-assigned task, and will report quarterly on progress made.

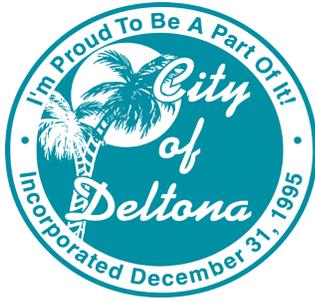
COMMERCE PARK RESEARCH SUB-COMMITTEE MISSION STATEMENT

Identify and approach, meet and obtain ideas from each area stakeholder and utilize these ideas toward the proposal for a workable "business, industrial, commerce park concept" and a "performing arts and historical facility".

GENERAL REPORT

This Sub-Committee meets on the second Friday of each month, in the Second Floor Conference Room at Deltona City Hall. The meetings start at 3:30 P.M. and are scheduled to last one hour. Meetings are open to the public and public participation is encouraged.

- This DEDAB Sub-committee met on January 9, 2015. The guest speaker was Mr. Kevin Finn, who spoke about how the Enterprise Preservation Society (EPS) was able to develop the Enterprise Heritage Center and Museum. This was excellent information that can be used in the Sub-committee's report and recommendation to the Commission on the Historical Facility assignment.
- During the February 13, 2015 meeting, this DEDAB Sub-committee held a field trip and visited and toured the Enterprise Heritage Center and Museum. Mr. Kevin Finn was our tour guide and several EPS members attended. Please note that EPS members were eager to work with the City of Deltona on historical tourism facilities that could share tourism visits.
- On March 13, 2015 this Sub-committee had a regular business meeting and discussion. Additional field trips were planned. A tour of the City's Lakeshore Community Center is planned for April's meeting.
- Of note, in the March meeting, based on a recommendation of the Deltona Economic Development Advisory Board (DEDAB), this Sub-committee agreed to ask the City of Deltona Commission to relieve it of two of its current assignments and replace those assignments with a simpler assignment: "Historical Facility".
2. In this same meeting, the Sub-committee voted to form a single DEDAB Sub-committee which will meet at 3:30 PM every second Friday, in the Second Floor Conference Room with the Educational & Medical Sub-committee.



City of Deltona

FIRST QUARTER (1st) 2015 PLANNING & ZONING BOARD REPORT

MEETING DATES:

A Planning & Zoning Board (Board) meeting was held on January 21st and February 18th of 2015. There was no meeting on March 18, 2015.

ITEMS HEARD AT THE PLANNING & ZONING MEETINGS:

COMPREHENSIVE PLAN AMENDMENTS	0
REZONINGS/ORDINANCES/FINAL SITE PLANS	1
RESOLUTIONS/CONDITIONAL USES/VARIANCES	1
DISCUSSIONS/ORIENTATION/ELECTIONS	2

A. Ordinance No. 01-2015, Zoning Amendment to the Office Residential (OR) Zoning District.

The Board voted unanimously to recommend that the City Commission adopt Ordinance No. 01-2015. The Board formerly received an application for a single use on an existing OR zoned property, which required Conditional Use approval and several variances to Code requirements to convert a single-family residential unit to a business. The Board made a recommendation to amend the overall OR zoning district standards to allow for land use conversion in keeping with the purpose and intent of the OR district.

B. Resolution No. 2015-02 (CU15-001), Iglesia de Dios Pentecostal Church Conditional Use Application.

The Board voted unanimously to recommend that the City Commission approve Resolution No. 2015-02, with the condition that the applicant follows the applicable provisions of Section 110-817(d) of the Code; specifically, that buildings be located no closer than 50-ft. from any property line and that off-street parking areas meet Code landscape buffer and parking surface requirements. The Church is located at 840 Ft. Smith Boulevard.

City of Deltona, Florida
P&Z 1st Quarter 2015 Report
March 11, 2015
Page 2 of 2

DISCUSSIONS/ORIENTATION/ELECTIONS:

A. By the Board.

An election of officers occurred at the January 21st meeting. Member Burbank was elected as the Chairman, Member Walosik was elected as the Vice Chairman, and Member Hickey was elected as the Secretary for 2015.

Discussion occurred concerning the potential provision of central sanitary sewer service within the Saxon Boulevard corridor.

B. By the City Attorney:

None

C. By Planning & Development Services Staff:

None

**City of Deltona, Firefighters' Pension Plan
Board of Trustees Quarterly Report
Quarter Ended March 31, 2015**

Board of Trustees:

- City Commission Appointees (terms expire January 2017):
 - Gene Gizzi – original appointment December 2013
 - Janet Deyette – original appointment September 2013
- Active plan member appointees (terms expire January 2017):
 - Kurt Vroman, – original appointment January 2009
 - Vacant – Selection in Process
- Trustee Appointee (term expires January 2018):
 - James Koczan – original appointment February 2008

Quarterly Administration Highlights:

1. **The portfolio as of March 31, 2015 totals \$22,293,121 and is comprised of the following:**

Equities	\$ 14,410,209
Fixed Income	\$ 6,419,650
Real Estate	\$ 1,067,976
Cash / Equivalents	\$ 395,286

2. **Board Member Changes and Appointments** – Board of Trustee Mike Maples originally appointed November 2013 by the active pension members resigned his position on the Board effective March 23, 2015. The Board is currently seeking interest to serve from the membership and expect to have the position filled in May. The newly appointed trustee will serve out the remainder of the term through January 2017.
3. **Plan Ordinance Modifications** – The City Commission adopted several enhanced plan modifications in January and those changes that effected current retirees prospectively (i.e. COLA eligible and Retirement Subsidy increase) have been implemented effective February 1, 2015. The Summary of Plan Description is has been modified and updated by the Pension Attorney to reflect the plan enhancements and was approved by the Pension Board April 21, 2015 for distribution to the members.
4. **2014 Annual State Report Filed** – The Pension Plan is required to file a report annually to the Florida Department of Management Services, Division of Retirement, Municipal Police Officers' and Firefighters' Retirement Trust Funds' Office. The report provides detailed financial data for the Plan year ended September 30, 2014 and demonstrates compliance with all provisions of the state statute chapter 175 as required. Upon review and acceptance by the State that all statutory requirements have been met, the City is then eligible to receive its annual Insurance Premium Tax distribution. The report was filed in March and is pending state review.

May 4, 2015

Page 1 of 1



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 5/4/2015
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 8 - A
SUBJECT: Request for approval of proposed changes to the By-Laws for the Economic Development Advisory Board, William S. Harvey Deltona Advisory Board and Parks and Recreation Advisory Board.

LOCATION:

N/A

BACKGROUND:

At the Regular City Commission Meeting on Monday, August 15, 2011 the City Commission approved the proposed generic Advisory Board/Committee/Sub-Committee By-Laws and rescinded all prior Board, Committee and Sub-Committee specific By-Laws with the exception of the Planning and Zoning Advisory Board By-Laws and the Firefighters' Pension Board By-Laws.

At the Regular City Commission Meeting on Monday, April 20, 2015 the Deltona Economic Development Advisory Board requested changes to the By-Laws which the Commission tabled and directed the City Attorney to review all the By-Laws, change the members' term to two (2) years instead of one (1) year and that all appointments to the Boards/Committees needed to be approved by the Commission.

ORIGINATING DEPARTMENT:

City Attorney's Office

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

City Attorney

STAFF RECOMMENDATION PRESENTED BY:

City Attorney Becky Vose - That the City Commission approve changes to the Board/Committee By-Laws as presented.

POTENTIAL

MOTION:

"I move to approve changes to the Board/Committee By-Laws as presented."

**AGENDA ITEM
APPROVED BY:**

Dale Baker, Acting City Manager

ATTACHMENTS:

- DEDAB By-Laws
- AHAC By-Laws
- P&R Advisory Committee By-Laws
- William S. Harvey Deltona Scholarship Advisory Board By-Laws



Deltona Economic Development Advisory Board By-Laws

Article I. **Purpose:**

Section 1. The Deltona Economic Development Advisory Board was created by the adoption of Resolution No. 2007-04 and became effective May 7, 2007, as adopted by the City Commission. The Board/Committee shall provide information and suggestions regarding economic development and programs involving economic development and the Staff Liaison will present the recommendations to the City Commission on a quarterly basis or as needed. The Advisory Board/Committee shall not have the authority or take any action that will commit the expenditure of public funds, the use of City equipment or personnel and shall not make monetary or other commitments on behalf of the Advisory Board/Committee, the City Commission, or the City of Deltona.

Article II. **Staff Liaison:**

Section 1. The Advisory Board/Committee Liaison shall serve as the Staff Liaison to the Advisory Board/Committee. In the event the Staff Liaison is unavailable, the appointed designee will assume their responsibilities for the period of their absence.

Section 2. The Advisory Board/Committee Liaison shall provide a summary of the discussion(s) and recommendation(s) of the Board/Committee to the City Commission on a quarterly basis. The schedule of which City Commission Meeting the Boards/Committees will present their quarterly report at is provided by the City Clerk's Office.

Article III. **Membership:**

Section 1. The Advisory Board/Committee shall consist of seven (7) members. The Mayor and each Commissioner shall each appoint or re-appoint one (1) member to the Advisory Board/Committee during the first regularly scheduled Commission meeting in May every other year beginning in 2015, for terms beginning the following May 31. Each member shall serve a 24 month term and may be re-appointed for additional terms.

Section 2. All applicants to be considered for appointment to the Advisory Board/Committee shall complete a City of Deltona Citizen Board/Committee application form, which will be kept on file by the City Clerk.

Section 3. Each member of the Advisory Board/Committee shall be a resident of the City of Deltona, a business owner, or commercial landowner within the City limits and shall serve his or her term without compensation.

Section 4. Any vacancy occurring during the term of an Advisory Board/Committee member shall be filled or replaced by appointment by their respective appointing member of the City Commission for the remainder of the vacancy term.

Section 5. The City Commission shall appoint up to four (4) alternate members for a term of 24 months. The alternate members may take part in discussion, but cannot make motions or vote unless they are filling in for an Advisory Board/Committee member in their absence. Each alternate member will take turns filling in for an absent Advisory Board/Committee member by rotation based on alphabetical order by last name. Each alternate will be appointed for a term of 24 months.

Article IV. Attendance:

Section 1. Members' office may be declared vacant by reason of death, resignation, mental or physical incapacity, absenteeism as prescribed hereafter, or for conduct bringing discredit to the City of Deltona or the Advisory Board/Committee.

Section 2. So that the Advisory Board/Committee may responsibly carry out its duties, all members should make every effort to attend all meetings. If a member has three (3) unexcused absences, the Advisory Board/Committee shall terminate the individual's membership and the Staff Liaison shall advise the appointing Commissioner of the vacancy. The Staff Liaison will also advise the City Clerk of the vacancy. The City Clerk will advertise the opening and place the appointment of a new member on a Regular City Commission Meeting Agenda.

Section 3. Absences may be excused by notifying the Staff Liaison of the circumstances prior to the meeting.

Article V. Officers and Duties:

Section 1. The members of the Advisory Board/Committee shall elect a Chairperson and a Vice-Chairperson each December to serve for a period of one (1) year. If a Chairperson and/or a Vice-Chairperson position become vacant for any reason, a replacement shall be elected by a majority of the full Advisory Board/Committee at their next regularly scheduled Advisory Board/Committee meeting.

Section 2. The Chairperson shall perform the duties ordinarily performed by a Chairperson. All requests and communications shall be channeled through the Staff Liaison. Any and all correspondence by any Board/Committee member shall be directed to the Staff Liaison only and the Staff Liaison will forward the information to the City Commission or staff as necessary. Under no

circumstances should a Board/Committee member be directly discussing Board/Committee business with staff or the City Commission. Members of the Advisory Board/Committee may not at any time represent themselves or mislead anyone that they are an employee of the City of Deltona.

Section 3. The Vice-Chairperson shall preside at any meeting in the absence of the Chairperson. If both the Chairperson and Vice-Chairperson are absent, the remaining members, if a quorum is present, shall elect a temporary presiding officer.

Section 4. The Chairperson, Vice-Chairperson or the temporary officer shall ensure that all members of the Advisory Board/Committee are aware of all applicable rules, laws, regulations, policies and procedures.

Article VI. Quorum:

Section 1. In order to have an Advisory Board/Committee meeting, a quorum must be present. The majority of the members must be present to constitute a quorum. A quorum consists of half the Board, Committee or Sub-Committee members, plus one.

Section 2. There must be an affirmative vote of a majority of voting members present in order for any action to be taken by the Advisory Board/Committee.

Article VII. Meetings:

Section 1. Meetings of the Advisory Board/Committee will be held as needed and directed by the City Commission, generally once per month Meetings will be held at a location to be determined by the Staff Liaison.

Section 2. All meetings of the Advisory Board/Committee or any two (2) members thereof, are declared to be public meetings open to the public at all times, and may not be held unless due notice to the City and the public is given as required by Florida's Government-in-the-Sunshine Laws.

Article VIII. Order of Business:

Section 1. At all regular Advisory Board/Committee meetings, the following shall be the general order of business:

- 1) Call to order by the Chairperson
- 2) Roll call
- 3) Approval of minutes
- 4) Public Comments
- 5) Old business
- 6) New business
- 7) Member comments
- 8) Adjournment

Section 2. In order to provide an opportunity for discussion of business

before the Advisory Board/Committee prior to a motion, it shall be the duty of the Chairperson to state the matter of business to the Advisory Board/Committee and to provide a period of discussion of the facts relevant to the topic prior to entertaining a motion. After a motion is made and seconded, the Chairperson shall allow additional discussion by the Advisory Board/Committee members. Any member may call for a vote if additional discussion becomes repetitive or irrelevant to the motion.

Article IX. Minutes:

Section 1. The Staff Liaison or the appointed designee shall be responsible for preparing written minutes of all meetings and notices of such meetings in accordance with the Advisory Board/Committee Meeting Agenda Procedure as approved by the City Clerk. The “Draft” minutes, which should be marked “Draft”, of each meeting shall be open for public inspection two (2) weeks following the meeting date on the City’s Website. The “Approved” minutes which will replace the “Draft” minutes shall be properly recorded and open for public inspection the day following the date the minutes were approved by the Advisory Board/Committee, with the original signed minutes kept in the City Clerk’s Office. The Staff Liaison or the appointed designee will be responsible for all public notifications.

Section 2. All communications by or on behalf of the board or any board member(s) shall be made either in public at a board meeting, through communications to the Staff Liaison, or through items placed in the minutes of the board. Neither the board, nor any board member(s), shall purport to speak on behalf of the board or as an official board member through any other means of communication. This restriction shall not prevent any board member from expressing his or her individual ideas or opinions relating to any matter, so long as such expression of ideas or opinions are expressed as that *individuals’* ideas or opinions, and not as the ideas or opinions of the board, or the ideas or opinions of such individual *as a board member*.

Article X. Voting:

Section 1. Any member of the Advisory Board/Committee having a personal or financial interest in any matter shall disclose such interest to the Advisory Board/Committee and shall complete and file with the City Clerk such Memorandum of Voting Conflict as required by law. No member present shall abstain from voting on any matter except as provided by Florida Statutes.

Article XI. By-Laws:

Section 1. The City Commission has final approval of all By-Laws or By-Law changes as recommended by the Staff Liaison, the appointed designee or the Advisory Board/Committee.

Section 2. Motions to amend or add to the By-Laws shall be made in writing to the Staff Liaison. Voting on such motions shall be considered at the next regular meeting of the Advisory Board/Committee.

Article XII. Sub-Committees:

Section 1. Each Sub-Committee would need to go before the City Commission for approval and justification.

Section 2. The Advisory Board/Committee shall select Sub-Committee Chairpersons from among its members to serve as Chairperson of each Sub-Committee, where applicable. Sub-Committee members who are not already members of the Board shall select volunteers, from among residents of the City, to serve on each Sub-Committee.

Section 3. All individuals considered for appointment to a Sub-Committee shall complete a City of Deltona Citizen Board/Committee application form, which will be kept on file by the City Clerk.

Section 4. Each Sub-Committee member's term shall expire two (2) years after the member is appointed or re-appointed during the first regularly scheduled Commission meeting in May every other year beginning in 2015.

Section 5. Each member of the Sub-Committee shall be a resident of the City of Deltona, a business owner, or commercial landowner within the City limits and shall serve his or her term without compensation. Every effort will be made to include representation from each Commission district on the Sub-Committee where possible.

Section 6. Each member shall serve his or her term without compensation.

Section 7. The Chairperson of each Sub-Committee shall ensure that all members of the Sub-Committee are aware of all applicable rules, laws, regulations, policies and procedures.

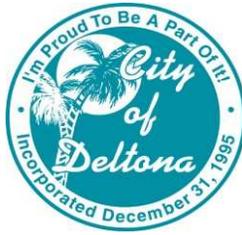
Article XIII. Dual Office Holding:

Section 1. It is the policy of the City of Deltona that no citizen may, simultaneously, serve on more than one City Board, Committee or Sub-Committee. This policy does not apply to citizens serving on Sub-Committees, or Committees and Boards of a temporary nature, and does not apply to citizens serving on Sub-Committees of the actual board or committee on which such citizen serves.

Section 2. This policy limiting the number of Boards/Committees on which a citizen may serve shall apply prospectively only, and shall not affect the current term being served by citizens on any Board and/or Commission within the City of Deltona. (Commission Policy/Procedure: CC06-001)

Article XIV. Sunset Provision:

Section 1. The Advisory Board/Committee and Sub-Committees shall be sunset upon determination by the Deltona City Commission that the Advisory Board/Committee has served its purpose and is no longer needed for recommendations on related matters.



Deltona Affordable Housing Advisory Committee By-Laws

Article I. **Name:**

An Affordable Housing Advisory Committee (AHAC) was created by the City Commission as part of Ordinance No. 08-2001, then reinstated pursuant to Ordinance No. 05-2013. The AHAC shall be referred to in these by-laws as “the Committee.” The jurisdiction of the Committee shall be throughout the area of the City of Deltona. The business of the AHAC shall be governed by these by-laws.

Article II. **Mission and Purposes:**

Section 1. The mission of the Committee shall be to recommend specific initiatives to encourage or facilitate affordable housing while protecting the value of the property within the City’s neighborhoods. The purpose of the Committee shall be to make advisory recommendations to the City Commission regarding local housing incentive strategies. Committee recommendations shall be made to the City Commission through the Department of Planning and Development Services and the City Manager. Recommendations approved by the City Commission shall be included in an amendment to the Deltona Local Housing Assistance Plan.

Section 2. The Committee shall make a recommendation to the City Commission by formal written approved motion of the Committee as to the conclusion of the Committee that an incentive strategy or proposal should be considered by the City Commission for approval, approval with specific conditions recommended by the Committee, or denial. The Committee’s recommendation shall be transmitted to the City Commission with all related staff reports, an index and executive summary of written materials submitted by the public for consideration at the Committee’s public hearing, and a summary of public comments at the hearing.

Section 3. In developing its recommendations, the Committee shall triennially review the established policies and procedures, ordinances, land development regulations, and adopted comprehensive plan of the City of Deltona. Such recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances, or plan provisions. At a minimum, the Committee shall make recommendations on affordable housing incentives in the following areas:

- (a) The processing of approvals of development orders or permits, as defined in § 163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects.
- (b) The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
- (c) The allowance of flexibility in density levels for affordable housing.
- (d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons and moderate-income persons.
- (e) The allowance of affordable accessory residential units in residential zoning districts.
- (f) The reduction of parking and setback requirements for affordable housing.
- (g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- (h) The modification of street requirements for affordable housing.
- (i) The establishment of process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- (j) The preparation of a printed inventory of locally-owned public lands suitable for affordable housing.
- (k) The support of development near transportation hubs and major employment centers and mixed-use developments.

The Committee may perform other duties at the request of the City Commission including:

- (a) The provision of mentoring services to affordable housing partners including developers, banking institutions, employers and others to identify available incentives, assist with applications for funding requests, and develop partnerships between various parties.
- (b) The creation of best practices for the development of affordable housing in the community.

Section 4. The Committee recommendations must also include other affordable housing incentives identified by the Committee. The recommendations of the Committee are required to be logically related to the provision of affordable housing in the City. Such recommendations shall be limited in scope to the Committee's charge to improve the delivery of affordable housing units within the city of Deltona, while at the same time preserving or enhancing residential property value and quality of life. Appropriate supporting analyses demonstrating the required logical relationship between recommendations of the need for affordable housing and the improved delivery of affordable housing shall be included as an appendix to the Committee's recommendations. Said appendix

shall be developed by the Department of Planning and Development Services, or such other individuals or agencies as may be directed by the City Manager.

Article III. Membership:

Section 1. The Committee shall have eleven members appointed by the City Commission by resolution. Each member shall serve for a term of two years. Appointments shall be ratified by a majority vote of the City Commission. No elected official and no employee of the city or county government shall be appointed to serve on the Committee. The Committee will include:

- (a) One citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (b) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) One citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) One citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) One citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) One citizen who actively serves on the local planning agency pursuant to § 163.3174.
- (i) One citizen who resides within the City of Deltona.
- (j) One citizen who represents employers within the City of Deltona.
- (k) One citizen who represents essential services personnel, as defined in the local housing assistance plan.

If, due to various reasonable factors, a citizen actively engaged in these activities in connection with affordable housing is not available for appointment to the Committee, a citizen engaged in the activity without regard to affordable housing may be appointed. All members of the Affordable Housing Advisory Committee must be citizens of the City of Deltona.

Article IV. Meetings and Notice:

Section 1. Meetings of the Committee, or any two or more of its members, are subject to the requirements of the Florida government in the Sunshine laws.

Section 2. Regular meetings, which shall include any business meeting of individual members, shall be held at least once each month in accordance with the schedule agreed upon by the members at their organizational meeting. The schedule may be changed upon approval of a motion by a majority of the Committee members present at a scheduled meeting and constituting a quorum.

Section 3. Notice of meetings shall be posted in City Hall and at the Department of Planning and Development Services offices or as required by the City Clerk. Meetings shall be open to the public.

Section 4. Notice of the time, date and place of the public hearing of the Committee to adopt final local housing incentive strategies recommendations must be published in a newspaper of general paid circulation in the county. The notice must contain a short and concise summary of the local housing incentives strategies recommendations to be considered by the Committee. The notice must state the public place where a copy of the tentative advisory committee recommendations can be obtained by interested persons.

Article V. Quorum and Voting:

Section 1. A majority of the appointed membership shall constitute a quorum for the transaction of all business of the committee. A quorum shall be six members.

Section 2. Each member shall be entitled to one vote on any matter presented to the Committee membership for a vote.

Section 3. No voting by proxy or absentee ballot shall be permitted on any matter presented to the Committee membership for a vote.

Section 4. The affirmative vote of at least a majority of those members who are present and voting at a duly held business meeting at which a quorum is present shall be the act of the Committee.

Article VI: Officers:

Section 1. The committee shall elect a chairperson and vice-chairperson from among its members. The terms of all Committee officers shall be one year. At the organizational meeting of the Committee the staff representative to the Committee shall call the Committee meeting to order and shall then call for nominations for the chairperson. Upon election of a chairperson, the staff representative to the Committee shall pass the gavel to the chair. The chairperson shall then call for nominations for vice-chairperson. Upon election of a vice-chairperson, the chairperson shall proceed with the Committee meeting.

Section 2. The Officers of this Committee shall be a Committee Chairperson and a Vice-Chairperson.

Section 3. The Officers of the Committee shall be elected by the appointed members of the Committee as provided herein.

Section 4. Any Officer of the Committee may resign, provided that any such resignation must be made in writing and delivered to the Committee Chairperson or City Clerk. Unless any such resignation is, by its terms, effective on a later

date, it shall be effective on delivery to such Committee Officer, and no acceptance by the Committee shall be required to make it effective. Any Officer of the committee may be removed from office at any time, with or without cause, by majority vote of the members present and constituting a quorum at a business meeting of the Committee.

Section 5. Any vacancy in an Office shall be filled by a special election held at the next business meeting following the announcement of the vacancy.

Section 6. If a member is absent for three consecutive meetings without being excused by the chairperson, said member shall forfeit his or her office and it shall be deemed vacant. Any vacancy occurring during the un-expired term of office of any member shall be filled by the City Commission for the remainder of the term. The vacancy shall be filled within 30 days from the time it occurs. Any member of the Committee may be removed from office for cause by the City Commission, upon written charges and after public hearing.

Article II. Duties of Officers:

Section 1. The Chairperson is the chief executive officer of this Committee, and is responsible for fulfilling the mission of this Committee. The Chairperson presides at all meetings and has general supervision of the operation of the Committee.

Section 2. The Vice Chairperson is the second ranking Committee Officer and is responsible for presiding over meetings in the absence of the Chairperson.

Article VIII. Employees, Administrative Services:

Section 1. The Committee shall have no employees or contract vendors. The Department of Planning and Development Services shall provide clerical staff and support by formatting and packaging board agendas, posting agendas for public notice, creating summary minutes of meetings and maintaining Committee records. The Department of Planning and Development Services shall also provide technical assistance to the Committee consistent with its staffing and funding as approved by the City Commission.

The Director of Planning and Development Services shall or his/her designee shall bring Committee reports and recommendations to the City Commission in appropriate communications, the format and medium of which shall be determined by the City Manager. Such communications shall include staff reports and recommendations, application materials, correspondence, and other relevant information as determined by the Committee, the Director of Planning and Development Services, the City Manager, or the City Commission to be necessary to assist the City Commission in its deliberations.

The Committee shall not direct the staff to undertake any project, but may request reasonable staff assistance and may report through the staff and City Manager to the City Commission any projects which the Committee deems worthwhile for Commission consideration by a majority vote of the Committee's entire membership.

Article IX. Rules of Order:

Section 1. Insofar as they do not conflict with the by-laws, Robert's Rules of Order Newly Revised shall be the final authority as to parliamentary procedure.

Points of order shall not be raised in Committee meetings by members of the audience. The City's Planning and Development Services Director, or his/her representative, shall be an ex-officio member of the Committee.

The Sheriff's Office or, upon its creation, the City's police department shall provide a sergeant-at-arms to maintain order at Committee Meetings upon the request of either the Chairperson or the Director of Planning and Development Services.

Section 2. The Committee shall meet at regular intervals once each month, and at such other times as it may deem necessary, for the transaction of its business. It shall follow these by-laws adopted by resolution of the City Commission.

Section 3. The Committee, through the Department of Planning and Development Services, shall keep a properly indexed public record of its resolutions, transactions, findings and recommendations.

Article X. Legal Status and Dissolution:

Section 1. This Committee is an unincorporated association formed solely for the purpose of recommending affordable housing initiatives to the Deltona City Commission.

Section 2. The by-laws of this Committee shall be governed by and interpreted in accordance with the laws of the State of Florida.

Article XI. Amendments:

Section 1. The scope of these by-laws, and any amendments to these by-laws, is limited to the matters specifically placed within the discretion of this Committee by the City Commission. This Committee shall not have the power to amend these by-laws without City Commission approval.



Parks & Recreation Advisory Committee By-Laws

Article I. **Purpose:**

Section 1. The Parks & Recreation Advisory Committee was created by the approval and adoption of Resolution No. 2000-04 and became effective April 3, 2000 as adopted by the City Commission. The Board/Committee shall provide information and suggestions regarding topics that are provided to the Advisory Board/Committee by the City Commission and the Staff Liaison will present the recommendations to the City Commission on a quarterly basis or as needed. The Advisory Board/Committee shall not have the authority or take any action that will commit the expenditure of public funds, the use of City equipment or personnel and shall not make monetary or other commitments on behalf of the Advisory Board/Committee, the City Commission, or the City of Deltona.

Article II. **Staff Liaison:**

Section 1. The Advisory Board/Committee Liaison shall serve as the Staff Liaison to the City Commission. In the event the Staff Liaison is unavailable, the appointed designee will assume their responsibilities for the period of their absence.

Section 2. The Advisory Board/Committee Liaison shall provide a summary of the discussion(s) and recommendation(s) of the Board/Committee to the City Commission on a quarterly basis. The schedule of which City Commission Meeting the Boards/Committees will present their quarterly report at is provided by the City Clerk's Office.

Article III. **Membership:**

Section 1. The Advisory Board/Committee shall consist of seven (7) members. The Mayor and each Commissioner shall each appoint or re-appoint one (1) member to the Advisory Board/Committee during the first regularly scheduled Commission meeting in December every other year. Each member shall serve a 24 month term and may be re-appointed for additional terms.

Section 2. All applicants to be considered for appointment to the Advisory Board/Committee shall complete a City of Deltona Citizen Board/Committee application form, which will be kept on file by the City Clerk.

Section 3. Each member of the Advisory Board/Committee shall reside within the City limits of the City of Deltona and shall serve his or her term without compensation.

Section 4. Any vacancy occurring during the term of an Advisory Board/Committee member shall be filled or replaced by appointment by their respective appointing member of the City Commission for the remainder of the vacancy term.

Article IV. Attendance:

Section 1. Members' office may be declared vacant by reason of death, resignation, mental or physical incapacity, absenteeism as prescribed hereafter, or for conduct bringing discredit to the City of Deltona or the Advisory Board/Committee.

Section 2. So that the Advisory Board/Committee may responsibly carry out its duties, all members should make every effort to attend all meetings. If a member has three (3) unexcused absences, the Advisory Board/Committee shall terminate the individual's membership and the Staff Liaison shall advise the appointing Commissioner of the vacancy. The Staff Liaison will also advise the City Clerk of the vacancy. The City Clerk will advertise the opening and place the appointment of a new member on a Regular City Commission Meeting Agenda.

Section 3. Absences may be excused by notifying the Staff Liaison of the circumstances prior to the meeting.

Article V. Officers and Duties:

Section 1. The members of the Advisory Board/Committee shall elect a Chairperson and a Vice-Chairperson each December to serve for a period of one (1) year. If a Chairperson and a Vice-Chairperson position become vacant for any reason, a replacement shall be elected by a majority of the full Advisory Board/Committee at their next regularly scheduled Advisory Board/Committee meeting.

Section 2. The Chairperson shall perform the duties ordinarily performed by a Chairperson. All requests and communications shall be channeled through the Staff Liaison. Any and all correspondence by any Board/Committee member shall be directed to the Staff Liaison only and the Staff Liaison will forward the information to the City Commission or staff as necessary. Under no circumstances should a Board/Committee member be directly discussing Board/Committee business with staff or the City Commission. Members of the Advisory Board/Committee may not at any time represent themselves or mislead anyone that they are an employee of the City of Deltona.

Section 3. The Vice-Chairperson shall preside at any meeting in the absence of the Chairperson. If both the Chairperson and Vice-Chairperson are absent, the remaining members, if a quorum is present, shall elect a temporary presiding officer.

Section 4. The Chairperson, Vice-Chairperson or the temporary officer shall ensure that all members of the Advisory Board/Committee are aware of all applicable rules, laws, regulations, policies and procedures.

Article VI. Quorum:

Section 1. In order to have an Advisory Board/Committee meeting, a quorum must be present. The majority of the members must be present to constitute a quorum. A quorum consists of half the Board, Committee or Sub-Committee members, plus one.

Section 2. There must be an affirmative vote of a majority of voting members present in order for any action to be taken by the Advisory Board/Committee.

Article VII. Meetings:

Section 1. Meetings of the Advisory Board/Committee will be held as needed and directed by the City Commission, generally once per month depending on the topic(s) provided by the Commission for discussion. Meetings will be held at a location to be determined by the Staff Liaison.

Section 2. All meetings of the Advisory Board/Committee or any two (2) members thereof, are declared to be public meetings open to the public at all times, and may not be held unless due notice to the City and the public is given as required by Florida's Government-in-the-Sunshine Laws.

Article VIII. Order of Business:

Section 1. At all regular Advisory Board/Committee meetings, the following shall be the general order of business:

- 1) Call to order by the Chairperson
- 2) Roll call
- 3) Approval of minutes
- 4) Public Comments
- 5) Old business
- 6) New business
- 7) Member comments
- 8) Adjournment

Section 2. In order to provide an opportunity for discussion of business before the Advisory Board/Committee prior to a motion, it shall be the duty of the

Chairperson to state the matter of business to the Advisory Board/Committee and to provide a period of discussion of the facts relevant to the topic prior to entertaining a motion. After a motion is made and seconded, the Chairperson shall allow additional discussion by the Advisory Board/Committee members. Any member may call for a vote if additional discussion becomes repetitive or irrelevant to the motion.

Article IX. Minutes:

Section 1. The Staff Liaison or the appointed designee shall be responsible for preparing written minutes of all meetings and notices of such meetings in accordance with the Advisory Board/Committee Meeting Agenda Procedure as approved by the City Clerk. The “Draft” minutes, which should be marked “Draft”, of each meeting shall be open for public inspection two (2) weeks following the meeting date on the City’s Website. The “Approved” minutes which will replace the “Draft” minutes shall be properly recorded and open for public inspection the day following the date the minutes were approved by the Advisory Board/Committee, with the original signed minutes kept in the City Clerk’s Office. The Staff Liaison or the appointed designee will be responsible for all public notifications.

Section 2. All communications by or on behalf of the board or any board member(s) shall be made either in public at a board meeting, through communications to the Staff Liaison, or through items placed in the minutes of the board. Neither the board, nor any board member(s), shall purport to speak on behalf of the board or as an official board member through any other means of communication. This restriction shall not prevent any board member from expressing his or her individual ideas or opinions relating to any matter, so long as such expression of ideas or opinions are expressed as that *individuals’* ideas or opinions, and not as the ideas or opinions of the board, or the ideas or opinions of such individual *as a board member*.

Article X. Voting:

Section 1. Any member of the Advisory Board/Committee having a personal or financial interest in any matter shall disclose such interest to the Advisory Board/Committee and shall complete and file with the City Clerk such Memorandum of Voting Conflict as required by law. No member present shall abstain from voting on any matter except as provided by Florida Statutes.

Article XI. By-Laws:

Section 1. The City Commission has final approval of all By-Laws or By-Law changes as recommended by the Staff Liaison, the appointed designee or the Advisory Board/Committee.

Section 2. Motions to amend or add to the By-Laws shall be made in writing to the Staff Liaison. Voting on such motions shall be considered at the next regular meeting of the Advisory Board/Committee.

Article XII. Sub-Committees:

Section 1. Sub-Committees are permitted; provided, however, each Sub-Committee would need to go before the City Commission for approval and justification.

Section 2. The Advisory Board/Committee shall select Sub-Committee Chairpersons from among its members to serve as Chairperson of each Sub-Committee, where applicable. The Sub-Committee Chairperson shall select volunteers, from among residents of the City, to serve on each Sub-Committee.

Section 3. All individuals considered for appointment to a Sub-Committee shall complete a City of Deltona Citizen Board/Committee application form, which will be kept on file by the City Clerk.

Section 4. Each Sub-Committee member's term shall expire two (2) years after the member is appointed or re-appointed during the first regularly scheduled Commission meeting in December every other year.

Section 5. Each member of the Sub-Committee shall reside within the City limits of the City of Deltona. Every effort will be made to include representation from each Commission district on the Sub-Committee where possible.

Section 6. Members of the Youth Advisory Sub-Committee, excluding the Chairperson, shall be 15 thru 18 years of age.

Section 7. Each member shall serve his or her term without compensation.

Section 8. The Chairperson of each Sub-Committee shall ensure that all members of the Sub-Committee are aware of all applicable rules, laws, regulations, policies and procedures.

Article XIII. Dual Office Holding:

Section 1. It is the policy of the City of Deltona that no citizen may, simultaneously, serve on more than one City Board, Committee or Sub-Committee. This policy does not apply to citizens serving on Sub-Committees, or Committees and Boards of a temporary nature, and does not apply to citizens serving on Sub-Committees of the actual board or committee on which such citizen serves.

Section 2. This policy limiting the number of Boards/Committees on which a citizen may serve shall apply prospectively only, and shall not affect the current

term being served by citizens on any Board and/or Commission within the City of Deltona. (Commission Policy/Procedure: CC06-001)

Article XIV. Sunset Provision:

Section 1. The Advisory Board/Committee and Sub-Committees shall be sunset upon determination by the Deltona City Commission that the Advisory Board/Committee has served its purpose and is no longer needed for recommendations on related matters.



William S. Harvey Deltona Scholarship Advisory Board By-Laws

Article I. **Purpose:**

Section 1. The William S. Harvey Deltona Scholarship Advisory Board was created by the approval and adoption of Agenda Item 9-L and became effective November 5, 2007 by the City Commission. The Board/Committee shall provide information, recommendations and suggestions regarding reviewing scholarship applications and recommending award recipients to the City Commission and the Staff Liaison will present the recommendations to the City Commission on a quarterly basis or as needed. The Advisory Board/Committee shall not have the authority or take any action that will commit the expenditure of public funds, the use of City equipment or personnel and shall not make monetary or other commitments on behalf of the Advisory Board/Committee, the City Commission, or the City of Deltona.

Article II. **Staff Liaison:**

Section 1. The Advisory Board/Committee Liaison shall serve as the Staff Liaison to the Advisory Board/Committee. In the event the Staff Liaison is unavailable, the appointed designee will assume their responsibilities for the period of their absence.

Section 2. The Advisory Board/Committee Liaison shall provide a summary of the discussion(s) and recommendation(s) of the Board/Committee to the City Commission on a quarterly basis. The schedule of which City Commission Meeting the Boards/Committees will present their quarterly report at is provided by the City Clerk's Office.

Article III. **Membership:**

Section 1. The Advisory Board/Committee shall consist of seven (7) members. The Mayor and each Commissioner shall each appoint or re-appoint one (1) member to the Advisory Board/Committee during the first regularly scheduled Commission meeting in May of every other year beginning in 2015. Each member shall serve a 24 month term and may be re-appointed for additional terms.

Section 2. All applicants to be considered for appointment to the Advisory Board/Committee shall complete a City of Deltona Citizen Board/Committee application form, which will be kept on file by the City Clerk.

Section 3. Each member of the Advisory Board/Committee shall reside within the City limits of the City of Deltona and shall serve his or her term without compensation.

Section 4. Any vacancy occurring during the term of an Advisory Board/Committee member shall be filled or replaced by appointment by their respective appointing member of the City Commission for the remainder of the vacancy term.

Article IV. Attendance:

Section 1. Members' office may be declared vacant by reason of death, resignation, mental or physical incapacity, absenteeism as prescribed hereafter, or for conduct bringing discredit to the City of Deltona or the Advisory Board/Committee.

Section 2. So that the Advisory Board/Committee may responsibly carry out its duties, all members should make every effort to attend all meetings. If a member has three (3) unexcused absences, the Advisory Board/Committee shall terminate the individual's membership and the Staff Liaison shall advise the appointing Commissioner of the vacancy. The Staff Liaison will also advise the City Clerk of the vacancy. The City Clerk will advertise the opening and place the appointment of a new member on a Regular City Commission Meeting Agenda.

Section 3. Absences may be excused by notifying the Staff Liaison of the circumstances prior to the meeting.

Article V. Officers and Duties:

Section 1. The members of the Advisory Board/Committee shall elect a Chairperson and a Vice-Chairperson at their first meeting each to serve for a period of one (1) year. If a Chairperson and a Vice-Chairperson position become vacant for any reason, a replacement shall be elected by a majority of the full Advisory Board/Committee at their next regularly scheduled Advisory Board/Committee meeting.

Section 2. The Chairperson shall perform the duties ordinarily performed by a Chairperson. All requests and communications shall be channeled through the Staff Liaison. Any and all correspondence by any Board/Committee member shall be directed to the Staff Liaison only and the Staff Liaison will forward the information to the City Commission or staff as necessary. Under no circumstances should a Board/Committee member be directly discussing Board/Committee business with staff or the City Commission. Members of the Advisory Board/Committee may not at any time represent themselves or mislead anyone that they are an employee of the City of Deltona.

Section 3. The Vice-Chairperson shall preside at any meeting in the absence of the Chairperson. If both the Chairperson and Vice-Chairperson are absent, the remaining members, if a quorum is present, shall elect a temporary presiding officer.

Section 4. The Chairperson, Vice-Chairperson or the temporary officer shall ensure that all members of the Advisory Board/Committee are aware of all applicable rules, laws, regulations, policies and procedures.

Advisory Board/Committee By-Laws

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Article VI. Quorum:

Section 1. In order to have an Advisory Board/Committee meeting, a quorum must be present. The majority of the members must be present to constitute a quorum. A quorum consists of half the Board, Committee or Sub-Committee members, plus one.

Section 2. There must be an affirmative vote of a majority of voting members present in order for any action to be taken by the Advisory Board/Committee.

Article VII. Meetings:

Section 1. Meetings of the Advisory Board/Committee will be held as needed and directed by the City Commission, generally once per month. Meetings will be held at a location to be determined by the Staff Liaison.

Section 2. All meetings of the Advisory Board/Committee or any two (2) members thereof, are declared to be public meetings open to the public at all times, and may not be held unless due notice to the City and the public is given as required by Florida's Government-in-the-Sunshine Laws.

Article VIII. Order of Business:

Section 1. At all regular Advisory Board/Committee meetings, the following shall be the general order of business:

- 1) Call to order by the Chairperson
- 2) Roll call
- 3) Approval of minutes
- 4) Public Comments
- 5) Old business
- 6) New business
- 7) Member comments
- 8) Adjournment

Section 2. In order to provide an opportunity for discussion of business before the Advisory Board/Committee prior to a motion, it shall be the duty of the Chairperson to state the matter of business to the Advisory Board/Committee and to provide a period of discussion of the facts relevant to the topic prior to entertaining a motion. After a motion is made and seconded, the Chairperson shall allow additional discussion by the Advisory Board/Committee members. Any member may call for a vote if additional discussion becomes repetitive or irrelevant to the motion.

Article IX. Minutes:

Section 1. The Staff Liaison or the appointed designee shall be responsible for preparing written minutes of all meetings and notices of such meetings in accordance with the Advisory Board/Committee Meeting Agenda Procedure as approved by the City Clerk. The "Draft" minutes, which should be marked "Draft", of each meeting shall be open for public inspection ~~item (2)~~ **(3)**

Advisory Board/Committee By-Laws

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weeks following the meeting date on the City's Website. The "Approved" minutes which will replace the "Draft" minutes shall be properly recorded and open for public inspection the day following the date the minutes were approved by the Advisory Board/Committee, with the original signed minutes kept in the City Clerk's Office. The Staff Liaison or the appointed designee will be responsible for all public notifications.

Section 2. All communications by or on behalf of the board or any board member(s) shall be made either in public at a board meeting, through communications to the Staff Liaison, or through items placed in the minutes of the board. Neither the board, nor any board member(s), shall purport to speak on behalf of the board or as an official board member through any other means of communication. This restriction shall not prevent any board member from expressing his or her individual ideas or opinions relating to any matter, so long as such expression of ideas or opinions are expressed as that *individuals'* ideas or opinions, and not as the ideas or opinions of the board, or the ideas or opinions of such individual *as a board member*.

Article X. Voting:

Section 1. Any member of the Advisory Board/Committee having a personal or financial interest in any matter shall disclose such interest to the Advisory Board/Committee and shall complete and file with the City Clerk such Memorandum of Voting Conflict as required by law. No member present shall abstain from voting on any matter except as provided by Florida Statutes.

Article XI. By-Laws:

Section 1. The City Commission has final approval of all By-Laws or By-Law changes as recommended by the Staff Liaison, the appointed designee or the Advisory Board/Committee.

Section 2. Motions to amend or add to the By-Laws shall be made in writing to the Staff Liaison. Voting on such motions shall be considered at the next regular meeting of the Advisory Board/Committee.

Article XII. Sub-Committees:

Section 1. Each Sub-Committee would need to go before the City Commission for approval and justification.

Section 2. The Advisory Board/Committee shall select Sub-Committee Chairpersons from among its members to serve as Chairperson of each Sub-Committee, where applicable. The Sub-Committee Chairperson shall select volunteers, from among residents of the City, to serve on each Sub-Committee.

Section 3. All individuals considered for appointment to a Sub-Committee shall complete a City of Deltona Citizen Board/Committee application form, which will be kept on file by the City Clerk.

Section 4. Each Sub-Committee member's term shall expire two (2) years after the member is appointed or re-appointed.

Section 5. Each member of the Sub-Committee shall reside within the City limits of the City of Deltona. Every effort will be made to include representation from each Commission district on the Sub-Committee where possible.

Section 6. Each member shall serve his or her term without compensation.

Section 7. The Chairperson of each Sub-Committee shall ensure that all members of the Sub-Committee are aware of all applicable rules, laws, regulations, policies and procedures.

Article XIII. Dual Office Holding:

Section 1. It is the policy of the City of Deltona that no citizen may, simultaneously, serve on more than one City Board, Committee or Sub-Committee. This policy does not apply to citizens serving on Sub-Committees, or Committees and Boards of a temporary nature, and does not apply to citizens serving on Sub-Committees of the actual board or committee on which such citizen serves.

Section 2. This policy limiting the number of Boards/Committees on which a citizen may serve shall apply prospectively only, and shall not affect the current term being served by citizens on any Board and/or Commission within the City of Deltona. (Commission Policy/Procedure: CC06-001)

Article XIV. Sunset Provision:

Section 1. The Advisory Board/Committee and Sub-Committees shall be sunset upon determination by the Deltona City Commission that the Advisory Board/Committee has served its purpose and is no longer needed for recommendations on related matters.



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 5/4/2015
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 8 - B
SUBJECT: Request for approval of guidelines for Use of Deltona Facilities CC99-004.

LOCATION:	City of Deltona Parks and Recreation Facilities
BACKGROUND:	At the Commission Workshop on April 13, 2015 it was discussed no waiving on any fees for any organization regardless of what type, set a reasonable fee to cover the City Costs (breakdown of City Costs) and Facility Use Procedures. Additional guidance was given to staff and forward those changes back for their review and consideration.
ORIGINATING DEPARTMENT:	Parks Recreation
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	Acting City Manager
STAFF RECOMMENDATION PRESENTED BY:	Steve Moore, Parks and Recreation Director - Staff is requesting consideration for approval of the City Commission Policy CC99-04, Rates/Fees for usage of City of Deltona Parks and Recreation Facilities and Amended Resolution 2011-04, and Facility Usage Guidelines/Procedures.
POTENTIAL MOTION:	" I move to approve City Commission Policy CC-99-04, Rates/Fees for usage of City of Deltona Parks and Recreation Facilities and the Amended Resolution 2011-04 and Facility Usage Guidelines/Procedures."
AGENDA ITEM APPROVED BY:	_____

ATTACHMENTS:

Dale Baker, Acting City Manager

- FUA Documentation
- Copy of VOL Cty

AMENDED RESOLUTION 2011-04

A RESOLUTION OF THE CITY OF DELTONA, FLORIDA, PERTAINING TO FACILITY USE FEES; PROVIDING FOR FEES FOR SERVICES RENDERED BY THE CITY OR FOR USE OF CITY FACILITIES AND PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Deltona owns and operates certain property and facilities which are suitable for use by others; and

WHEREAS, the City of Deltona is willing to rent those properties and facilities upon the payment of a rental fee and the execution of a use agreement; and

WHEREAS, the residents of Deltona, including the corporate residents of Deltona, support the maintenance and operation of the facilities through tax payments; and

WHEREAS, not-for-profit residents of Deltona that offer programs for Deltona residents support the programing efforts of the City by supplementing the programs implemented by the City;

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

Section 1. The City Manager or the City Manager's designee is authorized to charge a fee for use of City facilities and property as set forth in Section 2 hereof.

Section 2. The uses of City facilities and property for which the City shall charge a fee and the amount of the fee for each use are as follows:

(a) Building Rental.

(1) Main Hall-Community Center \$ 60.00 per hour*

*4 hour minimum rental

- | | | |
|-----|------------------------------|--------------------|
| (2) | Kitchen-Community Center | \$100.00 per event |
| (3) | Meeting Room/Conference Room | \$ 30.00 per hour |
| (4) | Gymnasium | \$ 35.00 per hour |

(b) Grounds Rental

- | | | |
|-----|-----------------|----------------------------------|
| (1) | Picnic Pavilion | \$ 35.00 ½ day \$ 70.00 full day |
| (2) | Splash Pad | No Charge |
| (3) | *Soccer Fields: | |
| | With lights | \$ 75.00 per hour |
| | Without lights | \$ 50.00 per hour |
| | Tournament | \$300.00 per field per day |

*(if applicable an additional charge for turf repair to be determined)

- | | | |
|-----|---------------------------|-------------------|
| (4) | Softball/Baseball Fields: | |
| | With lights | \$ 75.00 per hour |
| | Without lights | \$ 50.00 per hour |
| (5) | Football Fields: | |
| | With lights | \$ 75.00 per hour |
| | Without lights | \$50.00 per hour |

- | | | | | |
|-----|---|--------|--------|---------|
| (c) | Athletic Organizations fees per participant per season: | 2015 | 2016 | 2017 |
| | (1) West Volusia Youth Baseball | \$5.00 | \$5.00 | \$10.00 |
| | (2) Deltona Little League | \$5.00 | \$5.00 | \$10.00 |
| | (3) Adult 6v6 Soccer | \$5.00 | \$5.00 | \$10.00 |

(4)	West Volusia Wolves Pop Warner			
	Football & Cheerleading	\$5.00	\$5.00	\$10.00
(5)	Deltona Panthers	\$5.00	\$5.00	\$10.00
(6)	Deltona Youth Soccer Association	\$5.00	\$5.00	\$10.00
(7)	Game Changer Sports Academy	\$5.00	\$5.00	\$10.00

*Each above sports organization will pay the City of Deltona in the year specified the amount 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 begin played to offset the cost for team practice, night usage/electricity, and game play.

Section 3. This amended resolution shall be without prejudice to existing easements or contractual rights of sports organizations to use specific fields and buildings.

Section 4. Severability. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application.

Section 5. Effective Date. This amended resolution shall take effect immediately upon its final adoption by the City Commission.

PASSED AND RESOLVED this ____ day of _____, 2015, by the City Commission of the City of Deltona, Florida.

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

CITY OF DELTONA COMMISSION POLICY AND PROCEDURE

EFFECTIVE DATE 06-17-02	POLICY NUMBER CC99-004	PAGE NUMBER 1 of 2	SUPERSEDES POLICY Date: N/A
Subject: Guidelines for use of City of Deltona Facilities		Adopted by the Deltona City Commission at the Regular City Commission meeting held on September 9, 1999; revised by the Deltona City Commission on June 5, 2000; revised June 17, 2002 to provide new Facility Fee Schedule and delete references to Fountains Plaza.	

Facilities:

Fire Department Training Room

Capacity:

30

Meetings:

1. Times: Meeting rooms are available Monday through Friday beginning from 8 a.m. to 10:00 p.m. depending on availability.
2. Governmental Meetings: Meeting rooms are free of charge on a first come, first serve basis.

General Meeting Rules and Information:

1. The user is responsible for providing audio/visual equipment (blackboards, flipcharts, easels), etc.
2. No message center is available
3. User should make all necessary copies before arriving
4. Each user is responsible for returning the room to its original setup and removes all papers and equipment brought in following each meeting.
5. Use of any decoration including balloons of any type must be pre-arranged.

Exceptions:

The City Manager or designee may make exceptions to these guidelines.

CITY OF DELTONA

COMMISSION POLICY AND PROCEDURE

POLICY NUMBER: CC99-004

SUBJECT: Guidelines for use of City facilities

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<u>Facilities:</u>	<u>Capacity:</u>
Community Center	
Kelso Room	35
Sun Room	35
Main Room	200
Wes Crile Park Conference Room	55
Harris Saxon Main Room	150
Meeting Room	55

Meetings/Functions:

1. Times: Meeting rooms are available through reservations at respective facilities.
2. Facilities are available for meetings or other functions on a cost per hour and are reserved on a first come, first serve basis through the Parks and Recreation Department office in City Hall. Rooms may be reserved up to ninety days in advance.

General Meeting/Function Rules and Information:

1. The user is responsible for providing audio/visual equipment (blackboards, flipcharts, easels), etc.
2. The user is responsible for providing any special equipment not readily available through the facility.
3. No message center, fax assistance, or copy service is available.
4. Each user is responsible for returning the room to its original setup and removing all papers and equipment brought in following each meeting.
5. Use of alcohol must be pre-arranged per facility guidelines.

Exceptions:

The City Manager or designee may make exceptions to these guidelines.



City of Deltona

Facility Use Agreement Application

New Application **Renewal**

Name of Applicant/Organization: _____

Name of Contact Person: _____

Mailing Address: _____

Email Address: _____

Phone: Organization: (____) _____ Home: (____) _____ Cell: (____) _____

FACILITY REQUESTED:

Name of Facility: _____

Type of Activity: _____

Dates of Use: _____

Time of Use: From: _____ To: _____

DOCUMENTATION TO BE PROVIDED WITH APPLICATION:

Groups, organizations, corporations or programs, please submit the following documents with your application:

- Copy of State of Florida Certificate of Corporation
- Copy of Articles of Incorporation identifying Board Member name and address
- Federal Identification Number of Organization (if applicable)
- Certificate of Liability Insurance and Endorsement (please read Insurance Requirements on page 2)
- List of coaches, officials, and employees, with copy of drivers licenses attached
- List of all officers of organization with copy of drivers licenses attached
- Copy of Deltona Business Tax Receipt
- Proof of level 1 background checks on all staff, contracted personnel, employees, and board members

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 and Endorsement 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.

BACKGROUND CHECKS

To be eligible to utilize a City facility, the City of Deltona requires a Level 1 Background Screening of all staff, contracted personnel, employees, and board members of organizations who work with or interact with children. Copies of the results of the background screenings must be supplied to the City for verification upon request.

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: _____

Print Name: _____

Title: _____

Note: Organization cannot occupy the facility until receiving an "Authorization to Occupy".

RECEIVED BY CITY OF DELTONA

Name: _____

Date: _____

For Office Use Only:

Facility	Total Hours	Rate per hour	Total Fees

{ORGANIZATION}
FACILITY USE AGREEMENT

THIS AGREEMENT made and entered into this ____ day of _____, 2015, 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 {ORGANIZATION NAME}, a Florida organization, with its principal place of business located at {ADDRESS}, Florida hereinafter referred to as “User”.

WHEREAS, User desires the non-exclusive use of the City-owned {FACILITY NAME} facility located at {FACILITY ADDRESS}, Deltona, Florida, (hereinafter referred to as the “Facility”) for {PURPOSE/ACTIVITY}; 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 {PURPOSE/ACTIVITY}; 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 {DATE}.

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 {FACILITY} provided that the use of said facility conforms to the covenants and conditions herein contained. Said usage for the facility shall be {DAYS} from {TIMES}. {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 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

Description	Debary	Deland	New Smyrna	Port Orange	Daytona	Ormond	Volusia	Deltona Proposed	Deltona Current
Comm. Center	\$105/ 120 2 hr min	\$ 250 per hr	\$30 per hr	\$100 per hr min. 3 hrs.	\$40 per hr	\$128 per hr	\$50 per hr	\$ 60 per hr 4 hr min	\$45 per hr
Kitchen per event	\$350/400 day	Catered	N/A	N/A	N/A	\$40 per hr	\$10 per hour	\$100 per event	\$50 per event
Meeting Room/ Conference Room	N/A	\$ 60 per hr	\$35 per hr	\$30.00	\$35 per hr	\$24 per hr	\$ 15 per hr	\$30 per hr	\$20 per hr
Gymnasium	N/A	\$30 per hr	N/A	\$50 per hr	\$ 225 1st three hrs \$75 per hr after	\$87 1/2 gym \$174 full gym 2 hr min	N/A	\$35 per hr	\$10 per hr
Picnic Pavilions	\$30 per day	\$20-\$40	\$20 half day; \$40 full day	\$35 for 3 hrs.	\$75 for day	\$64 for 4 hrs	Small \$ 20/35 Large \$35/65	\$35 Half day \$70 Full day	\$ 25 May -Aug 5 hr blocks
Splash Pad	NC	N/A	N/A	N/A	NC	\$58 per 2 hr min	N/A	NC	NC
Soccer Fields									
with lights	\$ 25 per hr	\$475 per 6 hr	\$200 per game	\$20 per hr	\$85 per hr	\$68 per hr	\$15 per hr	\$75 per hr	\$45 per hr
without lights	\$15 per hr	\$375 per 6 hr		\$10 per hr	\$75 per hr	\$30 per hr	\$10 per hr	\$50 per hr	\$35 per hr
Tournament	N/A	N/A	\$300 per field	N/A	N/A	N/A	N/A	\$300 per field	N/A
Softball Baseball Field									
with lights	\$25 per hr	\$85 per hr	\$105 day sftbll	\$20 per hr	\$100 per hr	\$68 per hr	\$15 per hr	\$75 per hr	\$25 per hr
without lights	\$15 per hr	\$ 55 per hr	\$75 4 hour bb	\$10 per hr	\$85 per hr	\$30 per hr	\$10 per hr	\$50 per hr	\$15 per hr
Football Field									
With Lights	\$25 per hr	\$800.00 game	\$2,000 per day	N/A	\$1,200 per gm	\$145 per game	N/A	\$75 per hr	\$45 per hr
Without Lights	\$15 per hr	\$700.00 game			\$1,000 per gm	\$110 per game	N/A	\$50 per hr	\$35 per hr
Concession	N/A	N/A	\$500 per day	N/A		N/A	N/A		



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 5/4/2015
FROM: Dale Baker, Acting City Manager **AGENDA ITEM:** 9 - A
SUBJECT: Public Hearing - Ordinance No. 03-2015, Rezoning Application (RZ15-001)
Hess Gas Station.

LOCATION:

Located at 2840 Doyle Road at the northwest corner of Courtland Boulevard and Doyle Road.

BACKGROUND:

The City received an application to rezone the subject property from the existing zoning of C-1 (Retail Commercial) to C-2 (General Commercial). The intent of the rezoning is to facilitate the staging of rental trucks and trailers on the site as an ancillary use to the gas station/convenience store, which rental activity is permitted in the C-2 zoning district and not in the C-1 district. While the applicant has a specific goal regarding the rezoning application, the application was reviewed to ensure land use compatibility with area land uses and applicability of performance standards.

The existing C-1 zoning is neighborhood-oriented and is less intense than the requested C-2 zoning. The requested C-2 zoning applied to the subject ±1.1-acre parcel is consistent with the City's Comprehensive Plan and does not create incompatibilities with surrounding land uses. In addition, public services, including roadway capacity, are available to support the rezoning request. Finally, the application of the C-2 zoning on the subject property will create more commercial opportunity this area of the City. For more information concerning this proposal including detailed graphics, public service analysis, etc., see the attached staff report.

ORIGINATING DEPARTMENT:

Planning and Development Services

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

Planning Director, City Attorney

**STAFF
RECOMMENDATION
PRESENTED BY:**

Chris Bowley, AICP, Director of Planning and Development Services - Staff recommends that the City Commission approve Ordinance No. 03-2015, rezoning a ±1.1-acre parcel that includes a Hess Gas Station, located at 2840 Doyle Road, from C-1 (Retail Commercial) to C-2 (General Commercial); at first reading.

**POTENTIAL
MOTION:**

"I move to approve Ordinance No. 03-2015, rezoning a ±1.1-acre parcel that includes a Hess Gas Station, located at 2840 Doyle Road, from C-1 (Retail Commercial) to C-2 (General Commercial); at first reading.

**AGENDA ITEM
APPROVED BY:**

Dale Baker, Acting City Manager

ATTACHMENTS:

- Ordinance No. 03-2015
- Staff Report 032015
- Boundary Survey 022515

ORDINANCE NO. 03-2015

AN ORDINANCE OF THE CITY COMMISSION 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 1.1 ACRES LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF COURTLAND BLVD. AND DOYLE ROAD, PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Deltona, Florida, received an application to amend the zoning designation for a ±1.1-acre property located at the northwest corner of the intersection of Courtland Boulevard and Doyle Road from C-1 (Retail Commercial) to C-2 (General Commercial); and

WHEREAS, the City of Deltona, Florida, and its Land Planning Agency have complied with the requirements of the Municipal Home Rule Powers Act, sections 166.011 et. seq., Florida Statutes, in considering the proposed rezoning action from C-1 to C-2; and

WHEREAS, after said public hearing, the City Commission of the City of Deltona, Florida, has determined that the C-2 zoning designation on the ±1.1-acre property 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, FLORIDA, as follows:

Section 1. Located in the City of Deltona, Florida, the zoning designation for the following property is hereby amended to C-2: Lot 2 Huffman Subdivision, According to the Plat Thereof, as Recorded in Map Book 46, Page 162 of the Public Records of Volusia County, Florida.

City of Deltona, Florida
Ordinance No. 03-2015
Page 2 of 3

Section 2. This Ordinance is adopted in conformity with and pursuant to the Comprehensive Plan of the City of Deltona, the Local Planning and Land Development Act, Sections 163.161 et. seq., Florida Statutes, and the Municipal Home Rule Powers Act 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 give effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA THIS _____ DAY OF _____, 2015.

First Reading: _____

Advertised: _____

Second Reading: _____

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

ATTEST:

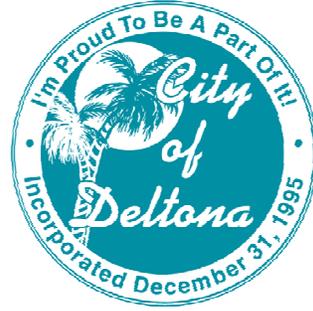
JOYCE RAFTERY, CMC, City Clerk

Approved as to form and legality
for use and reliance of the City of

City of Deltona, Florida
Ordinance No. 03-2015
Page 3 of 3

Deltona, Florida

GRETCHEN R. H. VOSE, City Attorney



Memorandum

To: Planning and Zoning Board

From: Chris Bowley, AICP
Director, Planning & Development Services

Date: March 20, 2015

Re: Hess Gas Station site located at the northwest corner of Courtland Boulevard and Doyle Road (Project No. RZ 15-001)

I. SUMMARY OF APPLICATION:

Applicant: Mr. Sokha Mey/Sharpbay Corp.

Request: Rezone from C-1 (Retail Commercial) to C-2 (General Commercial)

A. SITE INFORMATION:

Tax Parcel No.: 9111-04-00-0020

Property Acreage: ±1.1 Acres

Property Location: The parcel is situated at the northwest corner of the intersection of Doyle Road and Courtland Blvd. The property is essentially an out parcel located in the shopping center property that once housed a Winn Dixie grocery store as an anchor tenant.

Legal Description: Lot 2, Huffman Subdivision, According to the Plat Thereof as Recorded in Map Book 46, Page 162 of the Public Records of Volusia County, Florida

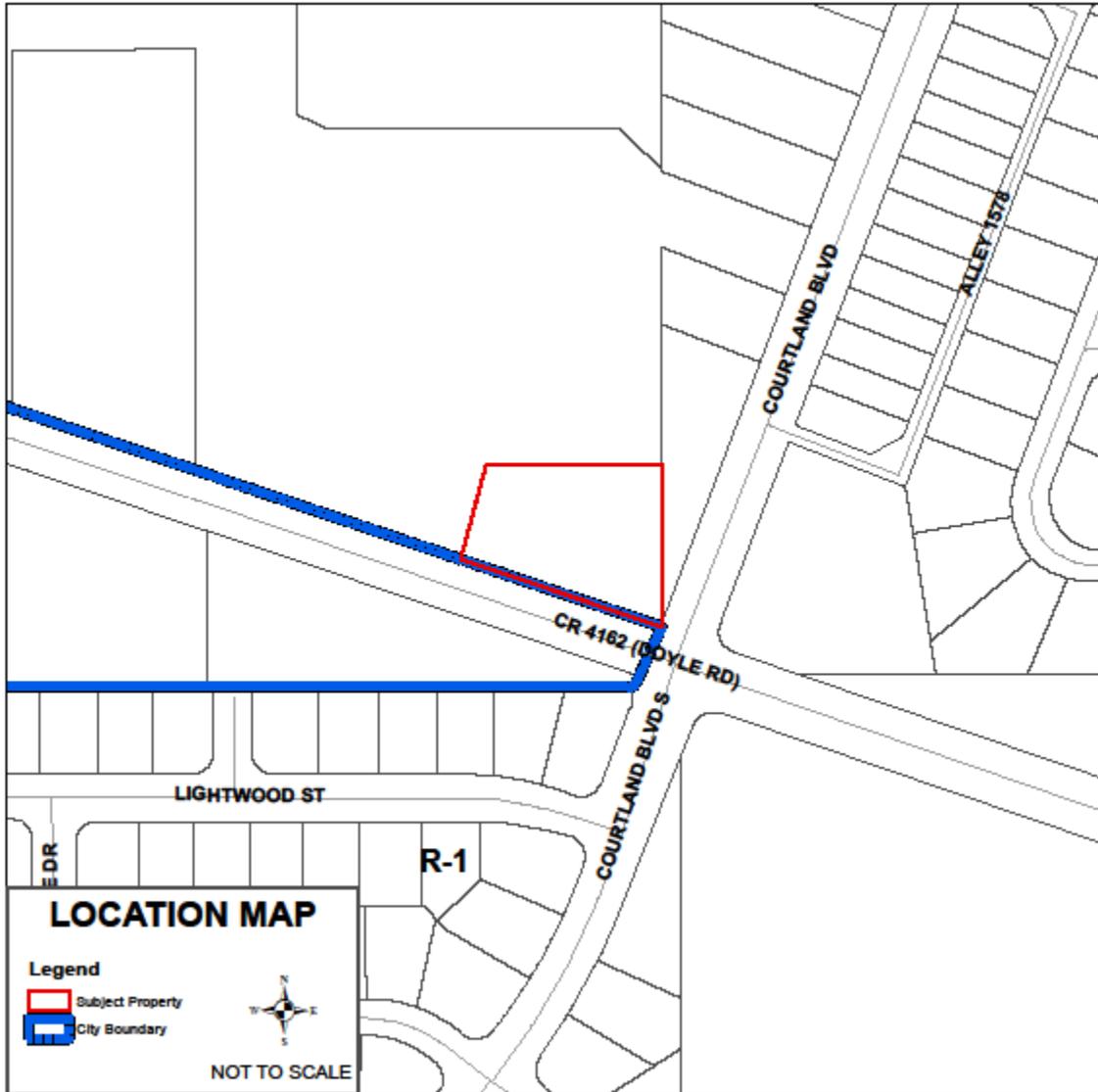


Figure 1: Location Map



Figure 2: Aerial Photo

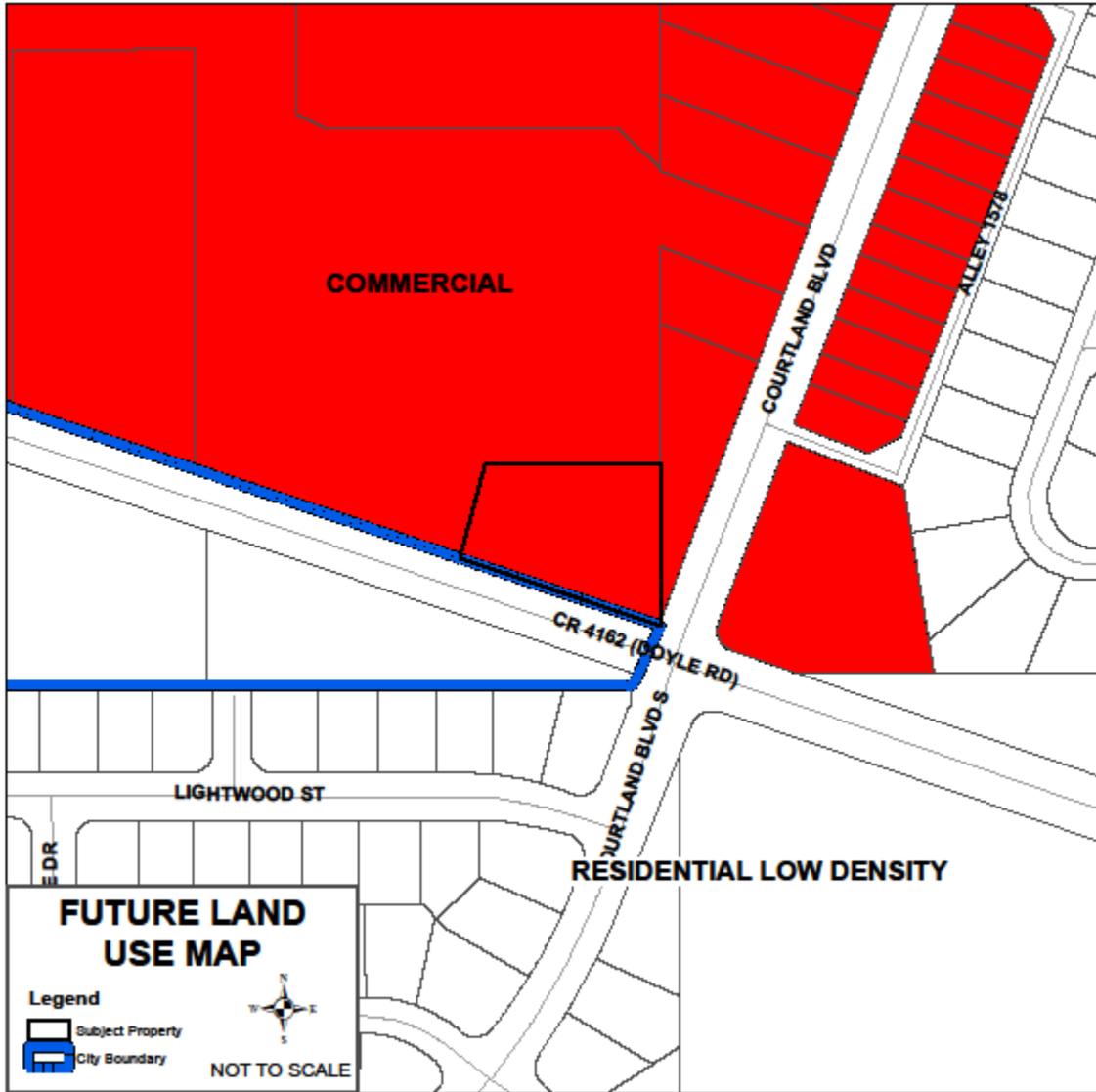


Figure 3: Future Land Use Map

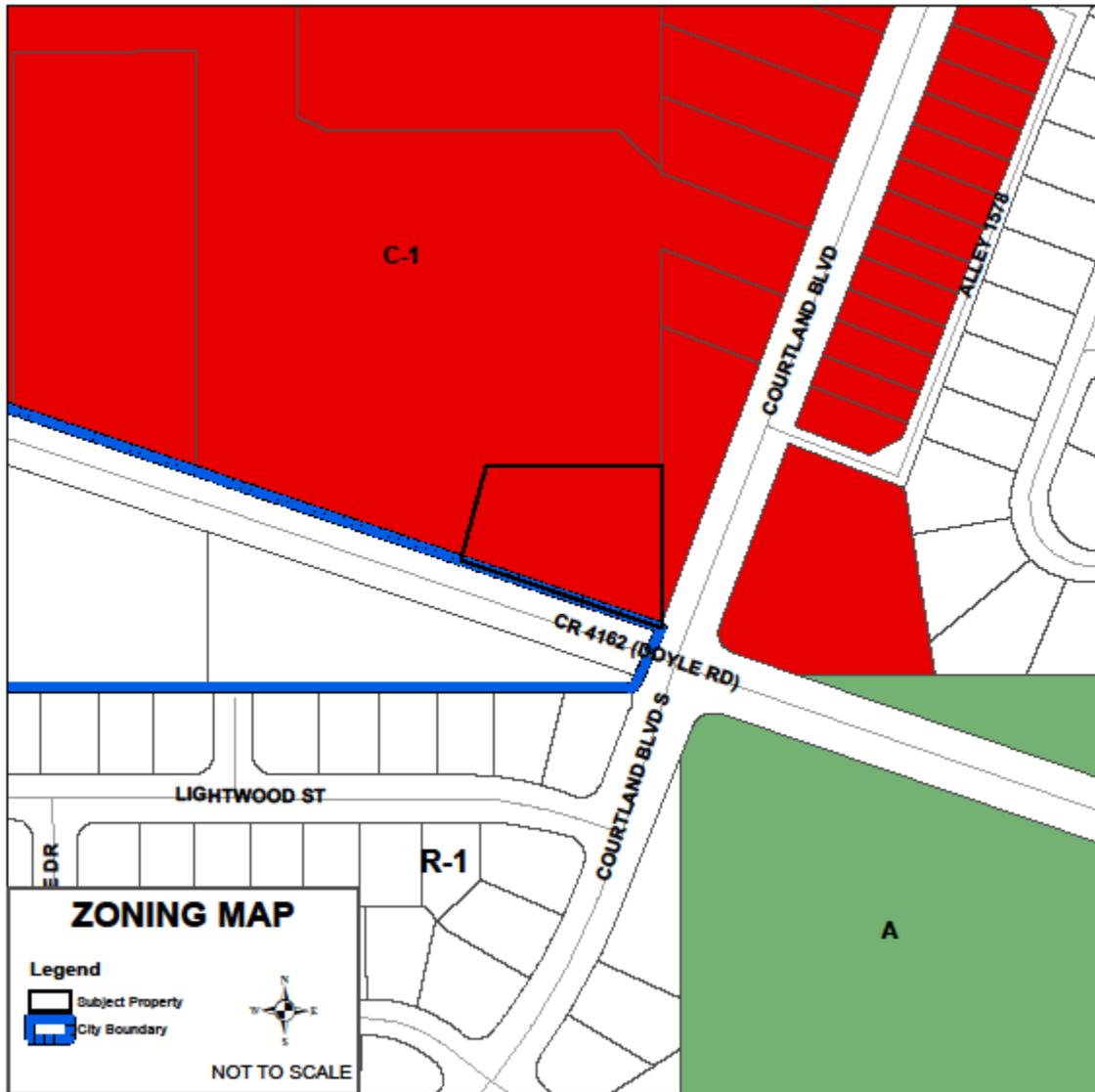


Figure 4: Zoning Map

B. Existing Zoning

1. Subject Property

Existing: C-1 (Retail Commercial)

Requested: C-2 (General Commercial)

2. Adjacent Properties

North: C-1 (Retail Commercial)

South: Doyle Road right-of-way; unincorporated County (zoned Rural Residential) and City of Deltona R-1 (Single Family Residential)

East: C-1 (Retail Commercial)

West: C-1 (Retail Commercial)

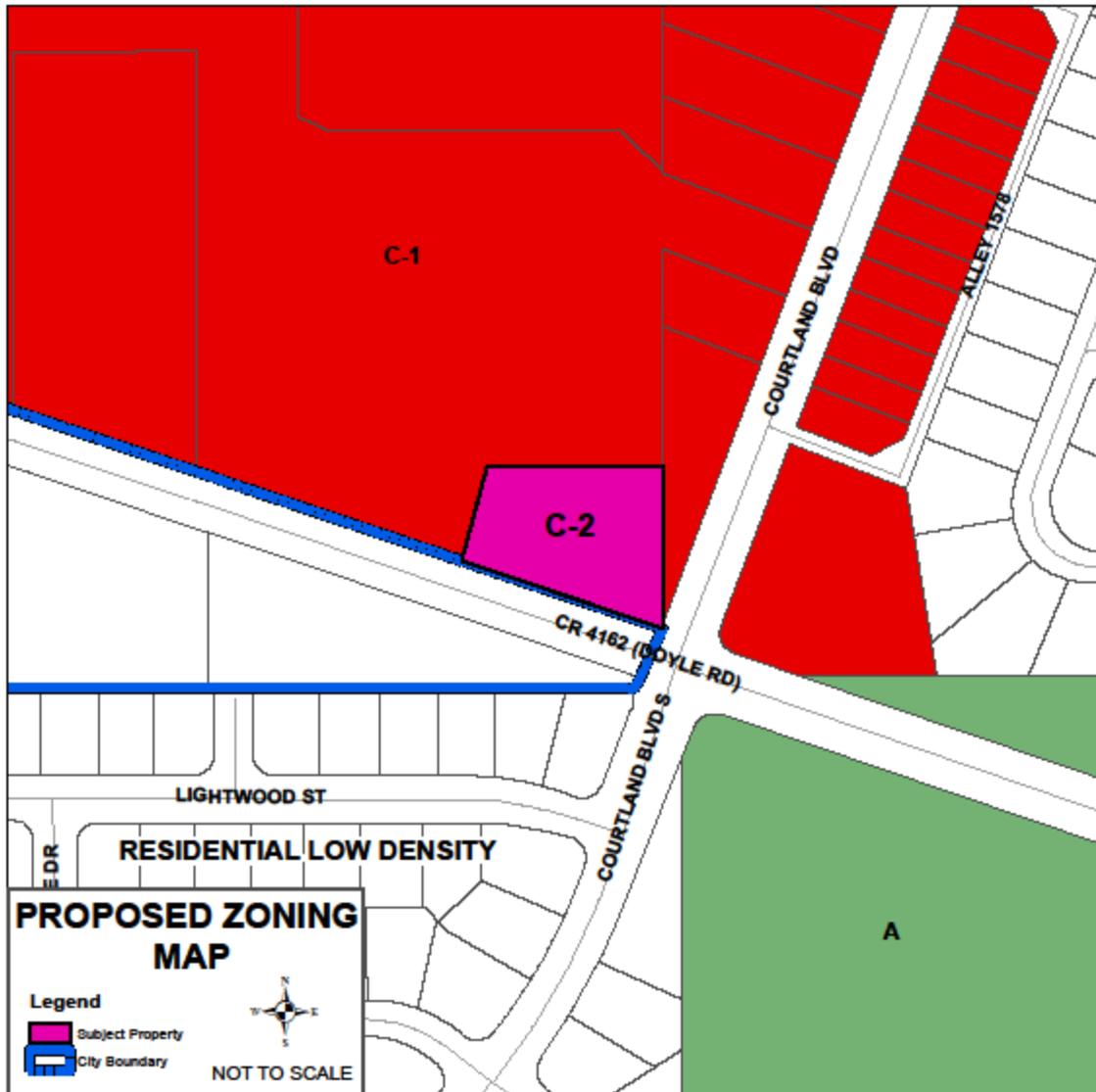


Figure 5. Proposed Zoning

C. Proposed Zoning:

The proposed zoning is C-2 (General Commercial). While there is some commonality between the uses in the existing C-1 zoning and the requested C-2, the C-2 zoning allows more intensive commercial development and uses. For example, the maximum floor area ratio of the C-2 zoning is 0.50. Conversely, the maximum floor area ratio of the C-1 is 0.35. Permitted principal uses found in the C-2 that do not appear in the C-1 zoning include, but are not limited to, new and used auto sales and automobile service stations “Type C”.

D. Background:

The subject ±1.1-acre property is part of a larger commercial node that is associated with the intersection of Doyle Road and Courtland Blvd. The commercial node accounts for about 36 acres of land and is confined to the north side of Doyle Road with the majority of the commercial area being located west of Courtland Blvd. The history of this commercial node dates back to the original Deltona Lakes Plat when land located around and north of the Doyle Road and Courtland Blvd. intersection was earmarked for commercial type uses. The commercial node eventually was expanded to include the subject ±1.1-acre site and adjacent land located to the north and east.

In the late 1990s property located to the north and west of the Doyle/Courtland intersection was developed as a shopping center anchored with a Winn-Dixie grocery store. However, a number of years ago the Winn Dixie closed and remains closed to this day. There are some smaller suites in the shopping center that are leased for small business ventures.

The subject ±1.1-acre site was developed as a standalone convenience store with ancillary gas pumps in 2003. Other uses within the subject commercial node include three houses of worship and an automotive repair facility. The remaining commercial area is vacant.

As has been stated, the property is developed with a 1950 square foot convenience store, 8 fueling bays and an enclosed carwash; a small interior food preparation area is also part of the use. The site is serviced with 28 parking places. This type of use is referred to within the City Land Development Code as a “Type C” automobile service station. Type C service stations are a common land use throughout the City. These uses are mostly neighborhood oriented and serve the surrounding community with various retail consumables such as food, drinks, snacks, periodicals, and fuel.

From a zoning perspective, a Type C automobile service station is a permitted principal use in the existing C-1 zoning and comports with the neighborhood oriented nature of the C-1 zoning purpose and intent.

However, the purpose of the rezoning request is to facilitate the operation of a “Type A” automobile service station at the ±1.1-acre site. Type A service stations allow minor vehicular maintenance activities like tune ups and oil changes. Also, according to Section 110-814(b)(6) a rental fleet of trucks and trailers could be – there are siting and design standards - staged and leased from a Type A service station. The ability to maintain a truck/trailer rental fleet on the ±1.1-acre property along with the present use is what is motivating this rezoning request.

E. Support Information

Public Facilities:

- a. Potable Water: The property is served central water by Deltona Utilities.
- b. Sanitary Sewer: The site is served by the City of Deltona Utilities central sewer system.
- c. Fire Protection: City fire station 64 located near the Ft. Smith Blvd./Courtland Blvd. intersection would provide the nearest response.
- d. Law Enforcement: Volusia County Sheriff’s Office (VCSO)
- e. Electricity: The property is located within the Florida Power and Light service district.

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 property proposed to be rezoned along with the remaining C-1 zoned land in the area is designated as Commercial on the Future Land Use Map. The Commercial land use category allows a wide commercial type uses to include more neighborhood-friendly, non-residential land uses such as offices and convenience stores to heavy commercial operations like engine rebuilding and automotive body shops that maybe incompatible with residential areas. In fact, the Land Use/Zoning matrix (Table 110-16) of Land Development Code Chapter 110 identifies six possible zoning options that may be applied within the Commercial designation. The matrix includes two columns referred to as Group A and Group B. Group A zonings are assumed to be compatible with the future land use category but still need to be compatible as applied on an individual basis. Group B zoning classifications may be considered compatible but are of such intensity, the application of those zoning districts needs to be carefully scrutinized. The requested C-2 zoning appears as a Group A zoning classification but compatibility is still a factor.

A common theme of the City Comprehensive Plan Future Land Use Element is land use compatibility. Another tenet of the Future Land Use Element is the appropriate allocation of land uses to maintain and enhance land use balance so that the City will function as efficiently as possible by providing a high level of good, service and employment opportunities for the residents of the City. There are several provisions of the Future Land Use Element that provide guidance with regard to entitlement allocation relating to compatibility and land use balance. Each of the policies below will be analyzed as with regard to the proposed rezoning of the ±1.1-acre tract to C-2.

Policy FLU1-2.4

The City shall expand commercial, industrial, and mixed-use developments in appropriate locations in order to discourage sprawl and to promote energy efficient development patterns.

The above policy captures the essence of land use compatibility while promoting the expansion of non-residential options within the City. The requested C-2 does have allows a greater intensity and use allocation when compared to the neighborhood oriented C-1 commercial zoning. The end result is an expanded commercial base. A question that needs to be broached regarding the ±1.1-acre property proposed to be rezoned to C-2: is it an “appropriate” location? The C-1 zoning is often located within and sometimes directly abutting residential areas. The location of the ±1.1-acre area is unique in the fact that it is located essentially as an out parcel of a larger shopping center and is situated at the intersection of two major City thoroughfares. The land located east across Courtland Blvd. is earmarked for commercial uses. There are residential uses located south of the ±1.1-acre site but the uses are separated by the Doyle Road right of way. The residential lots located to the south are further removed by a heavily forested triangular parcel of unincorporated land. Even though this triangular parcel tapers to an apex the southwest corner of the Courtland/Doyle intersection, this area also buffers the ±1.1-acre s from the nearby neighborhood. Finally, providing a wider range of goods and services in an existing commercial area will maximize existing land resources and promote shorter vehicle trips to access goods and services.

Policy FLU1-7.8

Appropriate buffers and transition areas shall be utilized to ensure compatibility between residential areas and commercial and industrial developments in a manner that balances neighborhood protection and economic development goals. 9J-5.006(3)(c)(2)

This provision is a classic example of the aforementioned balance the City needs to strike between land use compatibility and the realization of economic development

goals. Germaine to the rezoning case, the Doyle Road right of way and unincorporated land serves as an appropriate transition from the ±1.1-acres to the residential neighborhood to the south. In addition, the C-1 and C-2 zoning classifications are similar in intensity and there will be no conflict between the C-1 zoned properties if the C-2 is classified on the ±1.1-acres. Finally, there is a landscape buffer area featuring grass and scattered trees on the property at a minimum width of 25 feet that extends along the Doyle Road frontage.

Policy FLU1-7.26

The City shall seek to expand commercial, industrial and mixed-use development at appropriate locations.

The requested C-2 zoning will expand commercial use options in an established commercial node. As has been previously mentioned, the ±1.1-acre area is adequately buffered and removed from residential uses. Finally, the uses of the C-2, while tending to be more intense than the C-1, will not conflict with C-1 zoned land.

2. Its impact upon the environment or natural resources.

The property is a developed site and provides habitat only for animals that are tolerant of improved urban landscapes. Examples include mocking birds and squirrels. The rezoning will have no impact on ecological resources.

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

The commercial node where the ±1.1-acre site is proposed for rezoning has struggled economically through the years as evidenced by the perennially vacant anchor grocery store in the adjacent shopping center. The significant amount of vacant commercially zoned land in the area casts doubt on the economic viability of the area as well. (There is recognition that there are platting challenges.) The convenience store developed on the ±1.1-acre site to be rezoned is open and conducting business. The proposed rezoning would provide a few more commercial options for the land and promote some level of business diversification. In general, business diversification and related investment can be considered a positive economic indicator.

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:** There will be no increase of residential density. School capacity will be unaffected if the property is rezoned to C-2.
- b. **Sewage Disposal:** The property is served by central sewer The City has plenty of wastewater treatment capacity especially considering the City is constructing a new wastewater treatment facility.
- c. **Potable Water:** According to the latest City Capital Improvement Plan, the City has adequate potable water to serve the site.
- d. **Drainage:** The property is currently developed. Any expansion or redevelopment associated with the property will have to comply with applicable City stormwater management requirements, including Chapter 98 of the Land Development Code.
- e. **Transportation Systems:** The ±1.1-acre area is situated on two City thoroughfares, Courtland Blvd. and Doyle Road. The applicable segments of Courtland Blvd. (Ft. Smith Blvd. to Doyle Road and Doyle Road to Enterprise-Osteen Road) operate at a level of service “C”. The acceptable LOS is “E”. Capacity on Courtland Blvd. is quite adequate. The segments of Doyle Road (Saxon Blvd. to Courtland Blvd. and Courtland Blvd. to SR 415) also operate at a LOS “C”. Again, capacity is adequate on Doyle Road associated with the property proposed to be rezoned.

5. Any changes in circumstances or conditions affecting the area.

There have been no changes that affect the conditions in the area.

6. Any mistakes in the original classification.

No known mistakes.

7. Its effect upon the public health, welfare, safety, or morals.

The proposed rezoning will not adversely impact the health, welfare, safety or morals of the City.

CONCLUSION/STAFF RECOMMENDATION:

For many years, the commercial node where the ±1.1-acre site is located needs greater commercial diversification. The vacant Winn Dixie store and commercial development on only one of three corners at a large intersection displays the economic activity of this area. The purpose of the applicant filing this request stated that they want to be able to maintain a rental fleet of trucks and trailers to

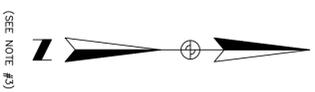
increase business potential. The City has reviewed this rezoning request for adjacency and compatibility with other land uses within the area within the C-2 zoning district standards. In addition to the existing land use, staff also reviewed the type of uses that could be developed on the ±1.1-acre site under the C-2 zoning criteria for redevelopment. The conclusions are that the proposed rezoning from C-1 to C-2 would be compatible with the surrounding land use pattern and that is consistent with the City's Comprehensive Plan. Finally, the proposed rezoning would further economic diversification by providing more land use options available within the City. Therefore, staff suggests that the City Commission approve the requested rezoning request from C-1 to C-2 for the ±1.1-acre property.

BOUNDARY SURVEY
FOR
SHARPBAY CORPORATION
SECTION 11, TOWNSHIP 19 SOUTH, RANGE 31 EAST
VOLUSIA COUNTY, FLORIDA

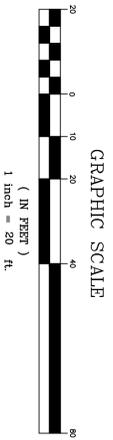
REAL PROPERTY DESCRIPTION
LOT 2, HUFFMAN SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 46, PAGE 162 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

SURVEYOR'S NOTES

- 1) SURVEYOR HAS NOT ABSTRACTED LANDS SHOWN HEREON FOR EASEMENTS, RIGHTS-OF-WAY, OR ANY OTHER MATTER OF RECORD WHICH MIGHT AFFECT THE TITLE OR USE OF SAID LANDS.
- 2) NO UNDERGROUND INSTALLATIONS OR VISIBLE IMPROVEMENTS LOCATED OTHER THAN SHOWN.
- 3) BEARINGS ARE BASED ON THE NORTH LINE OF LOT 2 ASSUMED AS BEING N89°40'03"E PER PLAT.
- 4) THE PROPERTY DESCRIPTION WAS PROVIDED TO THE SURVEYOR BY THE CLIENT.
- 5) NO TITLE WORK WAS PROVIDED AT THE TIME OF THIS SURVEY.
- 6) HAVING CONSULTED THE NATIONAL FLOOD INSURANCE PROGRAM MAP, I HAVE DETERMINED THAT THE SUBJECT PROPERTY LIES IN "ZONE X", NOT A SPECIAL FLOOD AREA PER FIRM PANEL # 12117-0780 J, DATED 2/19/2014, VOLUSIA COUNTY, FLORIDA.

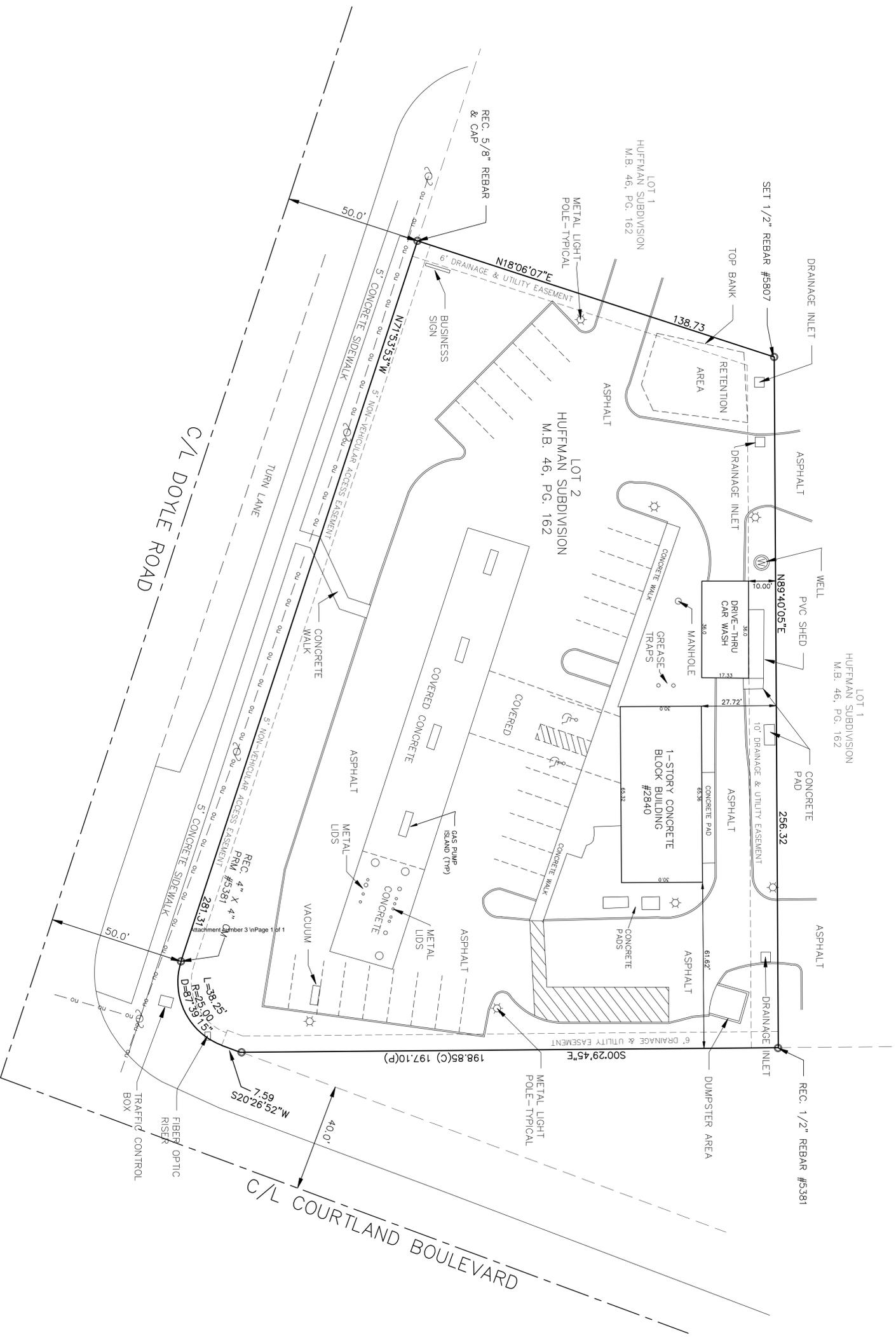


(SEE NOTE #3)



ABBREVIATION LEGEND

N = NORTH	O.R. = OFFICIAL RECORD
E = EAST	P.O.B. = POINT OF BEGINNING
W = WEST	P.O.C. = POINT OF COMMENCEMENT
S = SOUTH	W/1/4 = WITH 1/4
SEC. = SECTION	W/1/2 = WITH 1/2
CONC. MON. = CONCRETE MONUMENT	PROG. = PROFESSIONAL
COR. = CORNER	REG. = REGISTRATION
NO. = NUMBER	TRP. = TRIP
P.B. = PLAT BOOK	TRP. = TRIP
P.S. = PAGE	TRP. = TRIP
PRE. = PRESENCE	Δ = DELTA
MEAS. = MEASUREMENT	L = ARC LENGTH
INFO. = INFORMATION	P.L. = POINT OF INTERSECTION
C/V.S. = CENTER LINE	C = CHORD
ELEV. = ELEVATION	R/W = RIGHT-OF-WAY
CONC. = CONCRETE	R/B = RIGHT-OF-WAY
NO. # = NO IDENTIFICATION NUMBER	(B) = BOTTOM OF CURB
T = TOWNSHIP	(A) = ACTUAL
M.S.L. = MEAN SEA LEVEL	(C) = COMPUTED
U.T. = UNDERGROUND UTILITY	CALC. = CALCULATED
W.L. = UNDERGROUND WATER LINE	REC. = RECORD
WATER LINE	B.M. = BENCHMARK
R.C.P. = REINFORCED CONCRETE	O.U. = OVERHEAD UTILITY LINES
CONCRETE DEPARTMENT OF TRANSPORTATION (RAD.) = RADIAL	T.B.M. = TEMPORARY BENCH MARK
	LB # = LICENSE BUSINESS NUMBER (N.R.) = NON-RADIAL



CERTIFIED TO:

SHARPBAY CORPORATION

THIS IS TO CERTIFY THAT THIS SURVEY, TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

DATE	REVISION	REMOVED BY	CHECKED BY

SCOTT'S SURVEYING SERVICES, INC.
LB # 7442
8 S. HWY. 17-92, SUITE 8-A
DEBARY, FLORIDA 32713
PH. (386) 668-7332 FAX 668-7337

BOUNDARY SURVEY
FOR
SHARPBAY CORP.

VOLUSIA COUNTY, FLORIDA

PROJECT NUMBER	15-25
DATE	2/25/15
SCALE	1" = 20'
SHEET	1 OF 1