

Championship. (Requested by: Vice Mayor Denizac.)

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

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

7. CONSENT AGENDA:

8. ORDINANCES AND PUBLIC HEARINGS:

- A. Ordinance No. 05-2013, reinstating the Affordable Housing Advisory Committee (AHAC) at first reading and to schedule second and final reading for March 18, 2013.**

9. OLD BUSINESS:

10. NEW BUSINESS:

- A. Consideration of appointment or re-appointment of three (3) members to the City's Planning and Zoning Advisory Board.**
- B. Request for approval of Resolution No. 2013-07 declaring certain property of the City as surplus and authorizing the sale or disposal of such property.**
- C. Request for approval of Resolution No. 2013-08.**

11. CITY COMMISSION COMMENTS:

12. CITY ATTORNEY COMMENTS:

13. CITY MANAGER COMMENTS:

14. ADJOURNMENT:

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

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



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 3/4/2013
FROM: William "Dave" Denny, Acting City Manager **AGENDA ITEM:** 3 - A
SUBJECT: Silent Invocation Presented by Mayor Masiarczyk.

LOCATION:

N/A

BACKGROUND:

At the Regular City Commission Meeting on Monday, October 17, 2011, the City Commission approved to have each Commissioner by District schedule someone to present the invocation at each Regular City Commission meeting rotating each Commissioner by District starting with District #1, #2, #3, #4, #5, #6 and the Mayor.

ORIGINATING DEPARTMENT:

City Clerk's Office

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

City Clerk

STAFF RECOMMENDATION PRESENTED BY:

N/A - Invocation Only.

POTENTIAL MOTION:

N/A - Invocation Only.

AGENDA ITEM APPROVED BY:

William "Dave" Denny, Acting City Manager



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 3/4/2013

FROM: William "Dave" Denny, Acting City Manager **AGENDA ITEM:** 4 - A

SUBJECT: Approval of Minutes - Regular City Commission Meeting of February 18, 2013.

LOCATION:	N/A
BACKGROUND:	N/A
ORIGINATING DEPARTMENT:	City Clerk's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Clerk's Office
STAFF RECOMMENDATION PRESENTED BY:	City Clerk Joyce Kent - To approve the minutes of the Regular City Commission Meeting of February 18, 2013.
POTENTIAL MOTION:	"To move to approve the minutes of the Regular City Commission Meeting of February 18, 2013."
AGENDA ITEM APPROVED BY:	<hr/> William "Dave" Denny, Acting City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• Minutes of February 18, 2013

**CITY OF DELTONA, FLORIDA
REGULAR CITY COMMISSION MEETING
MONDAY, FEBRUARY 18, 2013**

1 A Regular Meeting of the Deltona City Commission was held on Monday, February 18, 2013 at
2 the City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

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

5
6 The meeting was called to order at 6:32 p.m. by Mayor Masiarczyk.

7
8 **2. ROLL CALL:**

9			
10	Mayor	John Masiarczyk	Present
11	Vice Mayor	Zenaida Denizac	Present
12	Commissioner	Webster Barnaby	Present
13	Commissioner	Heidi Herzberg	Present
14	Commissioner	Fred Lowry	Present
15	Commissioner	Chris Nabicht	Present
16	Commissioner	Nancy Schleicher	Present
17	Acting City Manager	Dave Denny	Present
18	City Attorney	Becky Vose	Present
19	City Clerk	Joyce Kent	Present
20			

21 Also present: Planning and Development Services Director Chris Bowley; Building and
22 Enforcement Services Director Dale Baker; and Fire Chief Robert Staples.

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

25
26 Invocation presented by Commissioner Nabicht – Fire Department Chaplin Jim Lathan.

27
28 Local Deltona talent Adrian Sutton sang the National Anthem.

29
30 **4. APPROVAL OF MINUTES & AGENDA:**

31
32 **A. Minutes:**

33
34 **1. Regular City Commission Meeting – February 4, 2013.**

35
36 **Motion by Commissioner Herzberg, seconded by Commissioner Schleicher to approve the**
37 **minutes of the Regular City Commission Meeting of February 4, 2013 as presented.**

38
39 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**
40 **Commissioner Herzberg, For; Commissioner Nabicht, For; Commissioner Schleicher, For;**
41 **Commissioner Lowry, For; Vice Mayor Denizac, For; and Mayor Masiarczyk, For.**

42
43 **B. Additions or Deletions to Agenda:** None.

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

2
 3 **A. Certificate of Recognition – France’s Legion of Honor Medal presented to Deltona**
 4 **resident Douglas “Doug” Hallahan.**

5
 6 Mayor Masiarczyk and Commissioners presented Mr. Doug Hallahan with a Deltona Certificate
 7 of Recognition for being a recipient of France’s Legion of Honor Medal. The French Legion of
 8 Honor medal was first presented by Napoleon Bonaparte in 1802. Mr. Hallahan received the
 9 medal for his bravery/actions at Omaha Beach on D-Day.

10
 11 **6. PUBLIC FORUM – Citizen comments for items not on the agenda.**

12
 13 a) Mr. Joel Shank, 1782 Harbinger Terrace provided an overview of the transient amenities
 14 programs that his company, sponsored by non-profit organizations, provides to over 35 counties and
 15 cities across Central Florida. Mr. Shank requested to make a presentation at the next Commission
 16 Workshop.

17
 18 Mayor Masiarczyk stated that he read the information provided and asked Mr. Shank to email the
 19 company information to him so he could distribute it to the Commission.

20
 21 Vice Mayor Denizac said that she read the materials sent to the Commission and would be very
 22 interested in the company making a presentation at a future Workshop.

23
 24 b) Mr. Charlie Vance, Deltona Adult Soccer League President, 2270 Asbury Road stated that the
 25 City needs to build a stadium in Deltona and finish making the 102 acres at Dewey O. Boster Park a
 26 sports complex. Volusia County needs a sports complex and Deltona could be known as the
 27 “Sports Town of Volusia County”. He also mentioned the fantastic job the City’s Parks &
 28 Recreation personnel do in keeping Dewey O. Boster Park in such pristine condition.

29
 30 c) Commissioner Barnaby thanked Mr. Vance for sending the Commission the Soccer information
 31 and pledged his support in building a sports complex and a four star hotel.

32
 33 **7. CONSENT AGENDA:**

34
 35 **8. ORDINANCES AND PUBLIC HEARINGS:**

36
 37 **A. Public Hearing – Ordinance No. 01-2013, Amending and revising Article VIII,**
 38 **"Rental Properties", of Chapter 22, Businesses, of the City's Code of Ordinances, to revise**
 39 **the date of application and matters of delinquencies, revocation and penalties, at second**
 40 **and final reading.**

41
 42 Vice Mayor Denizac asked Mrs. Vose if the concerns mentioned at the last meeting were taken care
 43 of and if the suggested language by former Commissioner Zischkau was added to the ordinance.
 44 Mrs. Vose replied yes, directing the Commission to the first page of the ordinance where the
 45 language pertaining to a separate business tax for residential property was rewritten to provide
 46 clarity.

47
 48 Mayor Masiarczyk opened the public hearing for comments.

1
 2 Vicki Wailes, 770 Gordon Court stated that she hopes when requests come before the Commission
 3 to waive or reduce fines that the Commission holds them to the laws that they establish tonight. The
 4 Special Magistrate seems to always let the fines come before the Commission, and she urged the
 5 Commission to hold rental property owners to the letter of the law.
 6

7 Mayor Masiarczyk closed the public hearing as there were no more public comments.
 8

9 **Motion by Commissioner Nabicht, seconded by Commissioner Herzberg to adopt Ordinance**
 10 **No. 01-2013 at second and final reading.**
 11

12 Mrs. Vose read the title of Ordinance No. 01-2013.
 13

14 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING CHAPTER**
 15 **22, "BUSINESSES" BY AMENDING ARTICLE VIII, "RENTAL PROPERTIES," TO**
 16 **REVISE THE DATE OF APPLICATION, AND TO REVISE MATTERS OF**
 17 **DELINQUENCIES, REVOCATION AND PENALTIES, PROVIDING FOR**
 18 **CONFLICTS, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.**
 19

20 **Motion carried with members voting as follows:**
 21

22	Commissioner Barnaby	Against
23	Commissioner Herzberg	For
24	Commissioner Lowry	For
25	Commissioner Nabicht	For
26	Commissioner Schleicher	For
27	Vice Mayor Denizac	For
28	Mayor Masiarczyk	For

29
 30 Ordinance No. 01-2013 was adopted at the second and final reading at 6:57 p.m.
 31

32 **B. Public Hearing - Ordinance No. 03-2013, Amending Chapter 46 of the City's Code**
 33 **of Ordinances, pertaining to the Firefighters' Pension Plan, at second and final reading.**
 34

35 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.
 36

37 **Motion by Commissioner Nabicht, seconded by Commissioner Herzberg to adopt Ordinance**
 38 **No. 03-2013 at second and final reading.**
 39

40 Mrs. Vose read the title of Ordinance No. 03-2013.
 41

42 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING CHAPTER**
 43 **46, ARTICLE II, FIREFIGHTERS' PENSION PLAN, OF THE CODE OF**
 44 **ORDINANCES OF THE CITY OF DELTONA BY AMENDING SECTION 46-26,**
 45 **DEFINITIONS; AMENDING SECTION 46-29, FINANCES AND FUND**
 46 **MANAGEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR**
 47 **SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT**
 48 **HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

1
2 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**
3 **Commissioner Herzberg, For; Commissioner Nabicht, For; Commissioner Lowry, For;**
4 **Commissioner Schleicher, For; Vice Mayor Denizac, For; and Mayor Masiarczyk, For.**

5
6 Ordinance No. 03-2013 was adopted at the second and final reading at 6:59 p.m.

7
8 **C. Public Hearing - Request for approval of Resolution No. 2013-02: Proposed City of**
9 **Deltona Impact Fee Moratorium.**

10
11 Mayor Masiarczyk asked about the financial impact the Resolution had on the City last year.

12
13 Mr. Bowley stated that in 2012 staff looked at a breakout between fire and rescue, and law
14 enforcement, and that the waived impact fees totaled over \$32,000. Mr. Bowley stated that he felt
15 the return on investment was a win for the City.

16
17 The Commission discussed the \$134,000 transportation fee, effects of Deltona's impact fee
18 moratorium, whether businesses would or would not of established in Deltona due to the
19 moratorium, business demographics, lowering the impact on residential taxes, benefits to not cutting
20 economic development incentives, and the impact fees' effect on providing and maintaining a
21 higher level of service,

22
23 Commissioner Barnaby stated that Deltona needs to make itself business friendly, attract as many
24 businesses as possible and truly be "Open for Business".

25
26 Vice Mayor Denizac stated that she is disappointed that the City has not seen the growth they had
27 expected to see after going into the fourth year of having the impact fee moratorium, but that she
28 will support the moratorium for one more year. She stated she wants the City of Deltona to see
29 more economic development in the future.

30
31 Commissioner Herzberg stated that she felt not supporting the moratorium would be detrimental to
32 the City and that she would support the impact fee moratorium for one more year and see what
33 happens.

34
35 **Motion by Commissioner Herzberg, seconded by Commissioner Barnaby to approve**
36 **Resolution No. 2013-02 imposing a moratorium on the collection of the City of Deltona non-**
37 **residential impact fees for fire and law enforcement for a period of one (1) year, commencing**
38 **on March 22, 2013 and ending on March 21, 2014.**

39
40 Commissioner Nabicht stated that he had asked for a review of all fees that had been charged for the
41 last few years and what had been collected on construction, fire and development services fees for
42 the last few years and that he would still like to see that information. Mayor Masiarczyk directed
43 the Acting City Manager to have the information prepared and distributed to the Commission.

44
45 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

46
47 Mayor Masiarczyk read the title of Resolution No. 2013-02.

48

1 **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA,**
 2 **FLORIDA, IMPOSING A MORATORIUM ON THE COLLECTION OF THE CITY OF**
 3 **DELTONA NON-RESIDENTIAL IMPACT FEES FOR FIRE AND LAW**
 4 **ENFORCEMENT SERVICES FOR A PERIOD OF ONE (1) YEAR; PROVIDING FOR**
 5 **AN EFFECTIVE DATE.**

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

10
 11 Resolution No. 2013-02 was adopted as presented at 7:11p.m.

12
 13 **9. OLD BUSINESS:**

14
 15 **A. Discussion re: donation of property located at 1221 Abigail Drive.**

16
 17 Acting City Manager Dave Denny stated that both the Volusia County Sheriff's Office (VCSO)
 18 and the Fire Department have looked at the property and could definitely use it for training.

19
 20 The Commission discussed the offer from Emmanuel Zulueta, to the City regarding the donation
 21 of the single family lot and existing home located at 1221 Abigail Drive. The Commission
 22 discussed the responsibility and cost for raising the home, creative destruction, the owners
 23 bringing the taxes current, the dollar value of the training opportunities, the cost to the City if the
 24 house goes into foreclosure and the property accumulating code violations, the property being a
 25 nuisance, setting a precedent to others that the City is in the real estate business, and there was a
 26 question whether there were current fines or liens on the property.

27
 28 Vice Mayor Denizac stated that she wants to remind the Commission to beware of free, the City
 29 would have to pay taxes, and other cost, and she is very hesitant of accepting the property.

30
 31 Mayor Masiarczyk stated that the home is a hazard that the City would have to eventually deal
 32 with and that the training benefit brings a valuable asset to VCSO and the Fire Department.

33
 34 Vice Mayor Denizac stated that the amount saved in training dollars needs to be accounted for
 35 and the come out of next year's budget.

36
 37 **Motion by Commissioner Nabicht, seconded by Commissioner Schleicher that the City**
 38 **acquires the property located at 1221 Abigail Drive as soon as possible because the**
 39 **property is an attractive nuisance and a danger to the community.**

40
 41 Commissioner Barnaby asked if the property had any code violations on it and Mr. Baker replied
 42 that there are no current violations, but that there was a very old violation for cutting grass for
 43 around two hundred dollars.

44
 45 The Commission discussed the possibility of future code violations, the property owners liability,
 46 the uniqueness of the structurally damaged home and property, tax deed procedures when a lot
 47 has value, and property evaluations.

1 Vice Mayor Denizac stated that she would like to see at budget time the savings, the reductions
 2 need to come out of the budget. Whatever the cost savings is because now there is a structure
 3 that is going to be used for training instead of paying training someplace else, she wants to see
 4 that money come out of the budget. She stated she is going to be asking at budget time. The
 5 money needs to be quantified and accounted for.

6
 7 Mayor Masiarczyk stated that staff would have to ensure the homeowner brings the back taxes
 8 and liens up to date before the City accepts the home.

9
 10 **Motion carried with members voting as follows:**

11		
12	Commissioner Barnaby	Against
13	Commissioner Herzberg	For
14	Commissioner Nabicht	For
15	Commissioner Schleicher	For
16	Commissioner Lowry	For
17	Vice Mayor Denizac	Against
18	Mayor Masiarczyk	For
19		

20 **10. NEW BUSINESS:**

21
 22 **A. Discussion re: Potential agreement with Halifax Humane Society (HHS) benefiting**
 23 **the City government and the citizens of the City.**

24 The Commission discussed the benefits to the City and residents if Deltona were to donate a
 25 surplus Ford F250 truck that is scheduled to be sold at auction to Halifax Humane Society (HHS)
 26 in exchange for in-kind services. Also discussed was historical expenses incurred by the City in
 27 animal impound and euthanizing fees per year, transport and employee salaries, dealing with
 28 stray animals, the fact that many cats and dogs in Deltona are not spayed or neutered, reduction
 29 in costs to the City when dealing with stray animals, and freeing up Code Enforcement Officers
 30 to do other much needed work in the City.

31 Vice Mayor Denizac stated that initially the price of the truck was not in the agenda packet and
 32 she said that the agenda item should not come before the Commission without all the supporting
 33 documents.

34 The Commission discussed the fees for residents to spay and neuter their pets, the process being
 35 done on an appointment basis, cost billed back to the City against the cost of the truck, savings
 36 for residents, language regarding liability to be included in the agreement, the demand for in-
 37 kind services, and developing a funding notification process.

38 Vice Mayor Denizac asked Mrs. Vose what the price of the truck is that the City would be
 39 donating and Mrs. Vose replied \$8,034.

40 Commissioner Schleicher stated that she would like a process developed that can notify residents
 41 when the funds were getting ready or close to running out.

1 Vice Mayor Denizac stated that the Commission needs to see a formal agreement on the
2 donation of the vehicle in exchange for in-kind services from Halifax Humane Society.

3 Mayor Masiarczyk stressed that he would like to see the liability issue addressed in the
4 agreement.

5 **Motion by Commissioner Barnaby, seconded by Commissioner Lowry to accept the**
6 **potential agreement.**

7 Commissioner Herzberg stated that the City of Holly Hill received a grant to receive free spay
8 and neuter services and she discussed the prospect of future partnership agreements with HHS.

9 Mayor Masiarczyk opened the public hearing.

10

11 Mr. Charlie Vance, 2270 Asbury Road stated that the vehicle was paid for by the residents of the
12 City and he questioned if the donation to HHS was benefiting the entire community.

13

14 Commissioner Herzberg stated that the City paid \$175,000 to transport and/or euthanize animals
15 last year, with only 146 being returned to their owners and that the entire City funds the bill, so it
16 does benefit all residents.

17

18 Mayor Masiarczyk closed the public hearing as there were no public comments.

19

20 Vice Mayor Denizac asked Mrs. Vose if an owner brings in a pet for the spay and neuter process
21 and the pet dies, is the City liable in any way. Mrs. Vose stated that participants would be
22 required to sign a release and that if they were not comfortable signing the release then they
23 would have to use their own veterinarian to do the spay or neuter.

24

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

28

29 **B. Request approval of Resolution No. 2013-03, recommending the name of**
30 **former serviceman David G. Ledgerwood for the S.R. 415 road designation (Requested by**
31 **Mayor Masiarczyk).**

32

33 Mayor Masiarczyk provided background information on Mr. Ledgerwood and his family, and
34 then opened the floor for questions.

35

36 **Motion by Vice Mayor Denizac, seconded by Commissioner Nabicht to adopt Resolution**
37 **No. 2013-03.**

38

39 Mayor Masiarczyk read the title of Resolution No. 2013-03.

40

41 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA,
42 RECOMMENDING THE NAME OF FORMER SERVICEMAN DAVID G. LEDGERWOOD
43 FOR THE S.R. 415 ROAD DESIGNATION TO BE KNOWN AS DAVID G. LEDGERWOOD

1 MEMORIAL HIGHWAY; PROVIDING FOR CONFLICTS; PROVIDING FOR
 2 SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

3
 4 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;
 5 Commissioner Herzberg, For; Commissioner Lowry, For; Commissioner Nabicht, For;
 6 Commissioner Schleicher, For; Vice Mayor Denizac, For; and Mayor Masiarczyk, For.**

7
 8 Resolution No. 2013-03 was adopted as presented at 8:22p.m

9
 10 **11. CITY COMMISSION COMMENTS:**

11
 12 a) Commissioner Barnaby stated that today was a great day in the United States in that it is
 13 Presidents Day, the recognized birthday of the founder of our Nation, the first President of the
 14 United States, General George Washington. He also discussed honoring the office of the President
 15 of the United States, Black History month and the will of the people.

16
 17 b) Commissioner Herzberg thanked the Commissioners for accepting the exchange of in-kind
 18 services and the F250 to the HHS and she thanked Mr. Baker for his vision and assistance. She
 19 stated that the first Deltona Healthy Heart Run/Walk 5K Race which was not only fun, but was a
 20 great event yielding \$4,400 for the American Heart Association.

21
 22 c) Commissioner Nabicht stated that both local power companies were out repairing the
 23 streetlights and thanked Mr. Denny for his efforts. He attended the Enterprise Preservation
 24 Society's Annual Chili Cook-off which was a very nice activity and a job well done. Commissioner
 25 Nabicht also commended Mr. Denny on the job he is doing as the Acting City Manager and
 26 requested a date or time table to Workshop the City Manager Selection Process. Mr. Denny replied
 27 that discussions regarding that item are scheduled for the Workshop on March 11, 2013.

28
 29 d) Commissioner Lowry stated the Deltona Healthy Heart Run/Walk 5K Race was a great success
 30 with over 200 people participating and that it was good to see former Vice Mayor Treusch at the
 31 event. He also attended the Enterprise Preservation Society's Annual Chili Cook-off and thought it
 32 was a great event. He stated that he was elated to hear during a meeting with Deltona's Economic
 33 Development Manager Jerry Mayes that Deltona's unemployment rate for the quarter has
 34 drastically dropped. He thought Mr. Jessup's and Ms. Northey's comments on the City Manger
 35 were very helpful and should be taken into consideration during the March 11, 2013 Workshop.

36
 37 e) Commissioner Schleicher stated that it was a wonderful and awesome sports week in Deltona.
 38 After the Joint Meeting with the P&Z Board she recommended the Commission have joint meetings
 39 with each City board at least once a year. She stated that she had two (2) concerns regarding code
 40 violations at the plaza/shopping center on Providence Blvd. at Elckam Blvd. The Commission
 41 needs an update on any violations at the plaza and Code Enforcement needs to go in and enforce
 42 City ordinances. The second is to look at places like the Winn Dixie plaza and other vacant
 43 buildings for code violations, do they receive annual code inspections, enforcing the codes and
 44 getting the owners to clean them up. Mr. Denny stated that he did discuss this issue with Mr. Baker
 45 and that the City does go in to these properties once a year for Fire Inspections. He said on the
 46 larger commercial properties and properties with prior issues staff will start sending a Code
 47 Enforcement officer along with the Fire Inspectors when they do their annual inspections. He also
 48 stated that there are a few code violations on some of the areas that Commissioner Schleicher
 49 mentioned.

1
 2 f) Vice Mayor Denizac stated that she wanted to know why there wasn't a separation agreement
 3 from the former City Manager in front of the Commission for tonight's meeting. Mrs. Vose stated
 4 that Ms. Miller's attorney only worked a day and a half the week prior to the Commission meeting
 5 and his office was closed this Monday, Presidents Day. Mrs. Vose stated that Mr. Denny sent Ms.
 6 Miller a one page general release with an attachment that showed what different payouts would be
 7 and inquired if Ms. Miller would sign it. Mrs. Vose clarified her comment on different payouts as
 8 meaning different line items and what she would receive in accordance with her contract. She also
 9 stated that Ms. Miller has not replied back. Vice Mayor Denizac asked about the two (2) questions
 10 she had sent to the City Attorney and she stated that she could respond to her later. She also stated
 11 that she would like to see a legal weekly report similar to the other City departments. Mayor
 12 Masiarczyk suggested a pending litigation weekly report so the Commission would know what the
 13 current legal issues are. Vice Mayor Denizac stated that she wanted to leave the Commission with a
 14 thought as it moves forward to search for a permanent City Manager, the grass always looks greener
 15 on the other side. She stated that the City has competent people that can provide us with continuity
 16 and many years of expertise, good people that can help move the City forward without having to
 17 spend thousands of dollars.

18
 19 g) Mayor Masiarczyk stated that there was a request for Florida Forever support, legislature
 20 enacted in 2009 for Florida to set aside to purchase property, and he suggested that a letter of
 21 support be written supporting Governor Scott's proposed State budget line item for Florida Forever.
 22 Vice Mayor Denizac stated that she would like to see a breakdown of the State budget. Deltona was
 23 asked to support the concept of a Volusia County wide Unified Film Industry Advisory Committee
 24 in West Volusia County. He stated that Mrs. Walters with the Thornby Historical Society is doing a
 25 historical film and she asked him to be interviewed during the making of the film. Sarah Smith who
 26 owns Safe Hut has put together a package for display and will provide the Commission with a
 27 photo. Safe Hut would like to put one of their modular buildings up in the City for display. Mayor
 28 Masiarczyk asked if the Commission would like him to try and coordinate a Legislative Round table
 29 with State Representative David Santiago before he departs for Tallahassee. This Wednesday night
 30 at 6 p.m. at Dewey O. Boster Park is the Major League Soccer (MLS) game between Philadelphia
 31 Union and the DC United and the game is free to the public. He stated the Philadelphia Union
 32 partnership has far exceeded his expectations and proposed that the Commission allow him to move
 33 forward with discussions to put a championship level sports facility in Deltona. Mayor Masiarczyk
 34 publicly thanked the Philadelphia Union for using Deltona as their training area and their great
 35 sportsmanship shown towards the youth of Deltona.

36
 37 **12. CITY ATTORNEY COMMENTS:** None.

38
 39 **13. ACTING CITY MANAGER COMMENTS:**

40
 41 Mr. Denny stated that tomorrow night in the Commission Chambers at 6:30 p.m. is the Fire
 42 Department's pinning ceremony.

43
 44 **14. ADJOURNMENT:**

45
 46 There being no further business, the meeting adjourned at 9:05 p.m.

City of Deltona, Florida
Regular City Commission Meeting
February 18, 2013
Page 10 of 10

1 **ATTEST:**

2

3

4

5 Mitch Honaker, DEPUTY CITY CLERK



AGENDA MEMO

TO: Mayor & City Commission

AGENDA DATE: 3/4/2013

FROM: William "Dave" Denny, Acting City Manager

AGENDA ITEM: 5 - A

SUBJECT: Presentation - Super Star Student of the Month Certificates for February, 2013.

LOCATION:

N/A

BACKGROUND:

Superstar Student of the Month awards for February, 2013, will be presented to:

1. Deltona Lakes Elementary, Erica Warriner, 3rd Grade
2. Discovery Elementary, Jordan Grasso, 4th Grade
3. Enterprise Elementary, Caylynn Tenison, 5th Grade
4. Forest Lake Elementary, None Submitted
5. Friendship Elementary, Alexis Askins 5th Grade
6. Pride Elementary, Alondra Figueroa, 5th Grade
7. Spirit Elementary, Natanael Rodriguez, 5th Grade
8. Sunrise Elementary, Paola Delacerda, 5th Grade
9. Timbercrest Elementary, Katie Wilson, 5th Grade
10. Deltona Middle, Crystal Chan, 8th Grade
11. Galaxy Middle, Daniel Elliott, 6th Grade
12. Heritage Middle, Matthew Hansen, 8th Grade
13. Deltona High, Taylor McGowan, 12th Grade
14. Pine Ridge High, Ezequiel Muriel, 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:**

William "Dave" Denny, Acting City
Manager

ATTACHMENTS:

- Super Star Student Achievements February 2013

Super Star Students Read File – February, presented on March 4, 2013.

#	Teacher	School	Student	Grade	Reading Comments on Student Achievements
1	Mrs. Bondinell	Deltona Lakes Elementary	Erica Warriner	3rd	<p>Erica Warriner, a 3rd grade student at Deltona Lakes Elementary School, is receiving the Super Star certificate for:</p> <ul style="list-style-type: none"> • Being a hard working student who earns A's and B's. • She is an outstanding school citizen. • Erica is the Grand Prize Winner for the Deltona Lakes Red Ribbon contest. • She is a designer of the City of Deltona's 50th Anniversary card from Deltona Lakes Elementary. <i>(Erica will give the card to the Mayor after she receives her award.)</i>
17 2	L. Rogers	Discovery Elementary	Jordan Grasso	4th	<p>Jordan Grasso, a 4th grade student at Discovery Elementary School, is receiving the Super Star certificate for:</p> <ul style="list-style-type: none"> • Being a bright student who is an outstanding citizen. • Jordan works very hard and he is dedicated to doing his best in class. • Jordan's teachers are all proud of him and are happy to have him in their school.
3 Item 5A	Marjorie Henderson	Enterprise Elementary	Caylynn Tenison	5th	<p>Caylynn Tenison, a 5th grade student from Enterprise Elementary, is receiving the Super Star Certificate for being:</p> <ul style="list-style-type: none"> • A straight A student. She is an extremely hard worker on all assignments and tests, always giving 110%. • She is Captain of the Safety Patrols and a member of FFEA. • Caylynn is a member of the National Elementary Honor Society. • She is one of the most dependable, honest and well-liked students in the class. She is always pleasant and will look for the positive side of everything.

4		Forest Lake Elementary			No submission this month.
5	Mr. Strickland	Friendship Elementary	Alexis Askins	5th	<p>Alexis Askins, a 5th grade student from Friendship Elementary, is receiving the Super Star certificate for:</p> <ul style="list-style-type: none"> • Community service: Alexis is an active member of National Elementary Honor Society and is a peer tutor. • Scholarship: Alexis has maintained a straight A average since 4th grade and wants to study Marine Biology. • Responsibility: Alexis is extremely responsible and works on the news crew.
18 6	Mrs. Jacoson	Pride Elementary	Alondra Figueroa	5th	<p>Alondra Figueroa, 5th grade student from Pride Elementary School, is receiving her Super Star certificate for:</p> <ul style="list-style-type: none"> • Being very responsible and helpful in the classroom. She is a model student for 5th graders at Pride Elementary. • Alondra is a safety patrol and helps kindergarten students get safely to their classrooms in the morning. • She often takes on extra duties, as needed, without complaint. • Recently Alondra has begun morning announcements for the entire school. Her enthusiasm helps us all begin our mornings well informed and with a smile.
7 Item 5A	Mrs. Fess	Spirit Elementary	Natanael Rodriguez	5th	<p>Natanael Rodriguez, a 5th grade student from Spirit Elementary School, is receiving the Super Star certificate for:</p> <ul style="list-style-type: none"> • Dramatically improving his reading since the beginning of the year. • He now reads one or two books daily. • Natanael is always very polite. • He recently was added to the safety patrols.

8	Mrs. Melissa Scorpio	Sunrise Elementary	Paola Delacerda	5th	<p>Paola Delacerda, a 5th grade student from Sunrise Elementary School, is receiving the Super Star certificate for:</p> <ul style="list-style-type: none"> • Consistently demonstrating the life-long guidelines to the fullest degree. • She will continue to work on an assignment or test until she absolutely knows that she has done her best effort. • Paola’s grades for every quarter reflect that hard work. She attends Soaring Scholars. • Socially, she always displays her personal best and offers a helping hand to peers when in need.
19	Linda Zudtke	Timbercrest Elementary	Katie Wilson	5th	<p>Katie Wilson, a 5th grade student from Timbercrest Elementary School, is receiving the Super Star certificate for:</p> <ul style="list-style-type: none"> • Being active in school activities. Katie is involved in Girls on the Run, Recorder Hot Shots, and All-County Recorder. • Katie provides excellent assistance with the sound for the school’s chorus performances over the last three years. • Her great effort toward academics.
10	Ms. Zapf	Deltona Middle	Crystal Chan	8th	<p>Crystal Chan , a 8th grade student from Deltona Middle School is receiving the Super Star certificate for:</p> <ul style="list-style-type: none"> • Being a dedicated pianist who has been studying for approximately 7 years. She performs two recitals each year. • She has participated in “Student Day,” which is a state level test that recognizes students who perform on an honors level. • Crystal takes the most challenging course work at DMS and has been a member of Future Farmers of America since the 6th grade. She serves in the leadership role of Sentinel for the club.

11	Ms. Wycuff	Galaxy Middle	Daniel Elliott	6th	<p>Daniel Elliott , a 6th grade student from Galaxy Middle School is receiving the Super Star certificate for:</p> <ul style="list-style-type: none"> • Being academically outstanding and a wonderful example to his peers, behaviorally. • He has earned straight A's for the first nine weeks of school, and maintained Honor Roll this past term. • Daniel frequently helps out during the 6th grade lunch. He is an outstanding young man and very deserving of this honor.
20 12	Esmeralda Charneco	Heritage Middle	Matthew Hansen	8th	<p>Matthew Hansen , a 8th grade student from Heritage Middle School is receiving the Super Star certificate for:</p> <ul style="list-style-type: none"> • Being involved in school activities, like Science Olympiad. • Mathew is hardworking and determined in his classes. • Overcoming personal obstacles and still being a role model to students through being helpful and compassionate.

13	Chris Ramer	Deltona High	Taylor McGowan	12th	<p>Taylor McGowan, a 12th grade student from Deltona High School is receiving the Super Star certificate for:</p> <ul style="list-style-type: none"> • Being 3rd in the senior class with a 4.3GPA and a member of the volleyball and softball teams. • Taylor has received many scholarships to colleges for her academics. • She never takes the easy road because she is a very hard driven young lady. She is also president of the Varsity Link crew, which is an athletic school and community service and mentoring club. • She tutors other athletes who are not doing well in class, plus works with the preschool and handicapped students at Deltona High. • She is very well liked by her teachers, peers, and the administration at the school.
21 14	Nicole Grebosz	Pine Ridge High	Ezequiel Muriel	11th	<p>Ezequiel Muriel, a 11th grade student from Pine Ridge High School is receiving the Super Star certificate for being :</p> <ul style="list-style-type: none"> • Being a fantastic example of student leadership. • Ezequiel has been an asset to the FFA/AG Academy, Drama Club and the Link Crew. • He is also a member of Tomorrow's Leaders. • Ezequiel is an excellent representation of PRHS.

**POTENTIAL
MOTION:**

N/A - Presentations only.

**AGENDA ITEM
APPROVED BY:**

William "Dave" Denny, Acting City
Manager

ATTACHMENTS:

- Pine Ridge Soccer Coaches-Certificates

City of Deltona Certificate of Recognition



Presented to

Head Coach Mike Menard

*In recognition of the 2012-2013 Pine Ridge High School Boys Soccer Team
Winning the 4A Boys Soccer District Championship*

John Masiarczyk
John Masiarczyk, Mayor

March 4, 2013

City of Deltona Certificate of Recognition



Presented to

Assistant Coach Martin Flores

*In recognition of the 2012-2013 Pine Ridge High School Boys Soccer Team
Winning the 4A Boys Soccer District Championship*

John Masiarczyk
John Masiarczyk, Mayor

March 4, 2013

City of Deltona Certificate of Recognition



Presented to

Assistant Coach Mike Dunlap

*In recognition of the 2012-2013 Pine Ridge High School Boys Soccer Team
Winning the 4A Boys Soccer District Championship*

John Masiarczyk
John Masiarczyk, Mayor

March 4, 2013



AGENDA MEMO

TO: Mayor & City Commission

AGENDA DATE: 3/4/2013

FROM: William "Dave" Denny, Acting City Manager

AGENDA ITEM: 8 - A

SUBJECT: Ordinance No. 05-2013, reinstating the Affordable Housing Advisory Committee (AHAC) at first reading and to schedule second and final reading for March 18, 2013.

LOCATION:

N/A

BACKGROUND:

Through the adoption of Ordinance No. 08-2001 on May 7, 2001, the City of Deltona became eligible to receive funding from the Florida Housing Finance Corporation, State Housing Initiatives Partnership (SHIP) Program.

In July 2007, the Florida Legislature passed House Bill 1375 requiring cities and counties receiving SHIP funds to appoint an "Affordable Housing Advisory Committee" (AHAC).

The SHIP Act and Rule requirement has been reinstated per SHIP statute (420.9076 F.S. and Rule 67-37.010) that in order to continue to qualify for funding, the local government must appoint the Affordable Housing Advisory Committee members by resolution.

The City of Deltona adopted Ordinance No. 07-2008 on March 3, 2008 which, in part, created an Affordable Housing Advisory Committee.

Revisions to Ordinance No. 07-2008 which were adopted by the City Commission on March 17, 2008 included increasing the AHAC membership from 8 to 11 members and additional reporting requirements.

In 2009, after their one (1) year term and finishing their work, the Affordable Housing Advisory Committee was sunset.

The Affordable Housing Advisory Committee shall be comprised of eleven (11) persons and shall recommend specific initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. See attached Florida Statutes 420.9076 that establishes criteria for the 11 member Affordable Housing Advisory Committee (AHAC).

It is in the best interest of the City of Deltona to reinstate the Affordable Housing Advisory Committee upon the conditions (except for its ending term) under which it existed just prior to its sunset.

ORIGINATING DEPARTMENT:

City Attorney's Office

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

City Attorney

STAFF RECOMMENDATION PRESENTED BY:

Becky Vose, City Attorney - That the City Commission approve Ordinance No. 05-2013 at first reading and to schedule second and final reading for March 18, 2013.

POTENTIAL MOTION:

"I move to adopt Ordinance No. 05-2013 at first reading and to schedule second and final reading for March 18, 2013."

AGENDA ITEM APPROVED BY:

William "Dave" Denny, Acting City Manager

ATTACHMENTS:

- Ordinance 05-2013
- F.S. 420.9076 Adoption of affordable housing incentives strategies; committees.

ORDINANCE NO. 05-2013

AN ORDINANCE OF THE CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA, RE-INSTATING THE AFFORDABLE HOUSING ADVISORY COMMITTEE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, through the adoption of Ordinance No. 08-2001 on May 7, 2001, the City of Deltona became eligible to receive funding from the Florida Housing Finance Corporation, State Housing Initiatives Partnership (SHIP) Program.; and

WHEREAS, in July 2007, the Florida Legislature passed House Bill 1375 requiring cities and counties receiving SHIP funds to appoint an "Affordable Housing Advisory Committee" (AHAC); and

WHEREAS, the SHIP Act and Rule requirement has been reinstated per SHIP statute (420.9076 F.S. and Rule 67-37.010) that in order to continue to qualify for funding, the local government must appoint the Affordable Housing Advisory Committee members by resolution; and

WHEREAS, the City of Deltona adopted Ordinance No. 07-2008 on March 3, 2008 which, in part, created an Affordable Housing Advisory Committee; and

WHEREAS, revisions to Ordinance No. 07-2008 which were adopted by the City Commission on March 17, 2008 included increasing the AHAC membership from 8 to 11 members and additional reporting requirements; and

WHEREAS, in 2009, after their one (1) year term and finishing their work the Affordable Housing Advisory Committee was sunset; and

WHEREAS, the Affordable Housing Advisory Committee shall be comprised of eleven (11) persons and shall recommend specific initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value; and

WHEREAS, it is in the best interest of the City of Deltona to reinstate the Affordable Housing Advisory Committee upon the conditions (except for its ending term) under which it existed just prior to its sunset.

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

SECTION 1. The Affordable Housing Advisory Committee is hereby reinstated.

SECTION 2. The Affordable Housing Advisory Committee shall make recommendations to the City Commission concerning the local housing incentive strategies.

SECTION 3. The Affordable Housing Advisory Committee shall finalize all recommendations and submit them to the City Commission as appropriate.

SECTION 4. The Affordable Housing Advisory Committee members shall be appointed by resolution of the City Commission.

SECTION 5. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, THIS _____ DAY OF _____, 2013.

FIRST READING: _____

ADVERTISED: _____

SECOND READING: _____

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

ATTEST:

JOYCE KENT, City Clerk

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

GRETCHEN R.H. VOSE, City Attorney

The Florida Senate

2012 Florida Statutes

TITLE XXX SOCIAL WELFARE	CHAPTER 420 HOUSING	VIEW ENTIRE CHAPTER
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420.9076 Adoption of affordable housing incentive strategies; committees.

(1) Each county or eligible municipality participating in the State Housing Initiatives Partnership Program, including a municipality receiving program funds through the county, or an eligible municipality must, within 12 months after the original adoption of the local housing assistance plan, amend the plan to include local housing incentive strategies as defined in s. [420.9071](#)(16).

(2) The governing board of a county or municipality shall appoint the members of the affordable housing advisory committee by resolution. Pursuant to the terms of any interlocal agreement, a county and municipality may create and jointly appoint an advisory committee to prepare a joint plan. The ordinance adopted pursuant to s. [420.9072](#) which creates the advisory committee or the resolution appointing the advisory committee members must provide for 11 committee members and their terms. The committee must 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 s. [163.3174](#). If the local planning agency is comprised of the governing board of the county or municipality, the governing board may appoint a designee who is knowledgeable in the local planning process.
- (i) One citizen who resides within the jurisdiction of the local governing body making the appointments.
- (j) One citizen who represents employers within the jurisdiction.
- (k) One citizen who represents essential services personnel, as defined in the local housing assistance plan.

If a county or eligible municipality whether due to its small size, the presence of a conflict of interest by prospective appointees, or other reasonable factor, is

unable to appoint a citizen actively engaged in these activities in connection with affordable housing, a citizen engaged in the activity without regard to affordable housing may be appointed. Local governments that receive the minimum allocation under the State Housing Initiatives Partnership Program may elect to appoint an affordable housing advisory committee with fewer than 11 representatives if they are unable to find representatives who meet the criteria of paragraphs (a)-(k).

(3) All meetings of the advisory committee are public meetings, and all committee records are public records. Staff, administrative, and facility support to the advisory committee shall be provided by the appointing county or eligible municipality.

(4) Triennially, the advisory committee shall review the established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan of the appointing local government and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The 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, including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances, and other policies. At a minimum, each advisory committee shall submit a report to the local governing body that includes recommendations on, and triennially thereafter evaluates the implementation of, affordable housing incentives in the following areas:

(a) The processing of approvals of development orders or permits, as defined in s. [163.3164](#), 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 densities 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 a 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 advisory committee recommendations may also include other affordable housing incentives identified by the advisory committee. Local governments that receive the minimum allocation under the State Housing Initiatives Partnership Program shall perform the initial review but may elect to not perform the triennial review.

(5) The approval by the advisory committee of its local housing incentive strategies recommendations and its review of local government implementation of previously recommended strategies must be made by affirmative vote of a majority of the membership of the advisory committee taken at a public hearing. Notice of the time, date, and place of the public hearing of the advisory committee to adopt its evaluation and 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 evaluation and local housing incentives strategies recommendations to be considered by the advisory committee. The notice must state the public place where a copy of the evaluation and tentative advisory committee recommendations can be obtained by interested persons. The final report, evaluation, and recommendations shall be submitted to the corporation.

(6) Within 90 days after the date of receipt of the evaluation and local housing incentive strategies recommendations from the advisory committee, the governing body of the appointing local government shall adopt an amendment to its local housing assistance plan to incorporate the local housing incentive strategies it will implement within its jurisdiction. The amendment must include, at a minimum, the local housing incentive strategies required under s. [420.9071](#)(16). The local government must consider the strategies specified in paragraphs (4)(a)-(k) as recommended by the advisory committee.

(7) The governing board of the county or the eligible municipality shall notify the corporation by certified mail of its adoption of an amendment of its local housing assistance plan to incorporate local housing incentive strategies. The notice must include a copy of the approved amended plan.

(a) If the corporation fails to receive timely the approved amended local housing assistance plan to incorporate local housing incentive strategies, a notice of termination of its share of the local housing distribution shall be sent by certified mail by the corporation to the affected county or eligible municipality. The notice of termination must specify a date of termination of the funding if the affected county or eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies. If the county or the eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies by the termination date specified in the notice of termination, the local distribution share terminates; and any uncommitted local distribution

funds held by the affected county or eligible municipality in its local housing assistance trust fund shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer the local government housing program.

(b) If a county fails to timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies but an eligible municipality receiving a local housing distribution pursuant to an interlocal agreement within the county does timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies, the corporation, after receipt of a notice of termination, shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in s. [420.9072](#).

(c) Any county or eligible municipality whose local distribution share has been terminated may subsequently elect to receive directly its local distribution share by adopting an amended local housing assistance plan to incorporate local housing incentive strategies in the manner and according to the procedure provided in this section and by adopting an ordinance in the manner required in s. [420.9072](#).

(8) The advisory committee may perform other duties at the request of the local government, 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.

(9) The advisory committee shall be cooperatively staffed by the local government department or division having authority to administer local planning or housing programs to ensure an integrated approach to the work of the advisory committee.

History.—s. 32, ch. 92-317; s. 15, ch. 93-181; s. 38, ch. 97-167; s. 24, ch. 2006-69; s. 19, ch. 2007-198; s. 117, ch. 2008-4; s. 30, ch. 2009-96; s. 16, ch. 2011-15; s. 67, ch. 2011-139.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.
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AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 3/4/2013
FROM: William "Dave" Denny, Acting City Manager **AGENDA ITEM:** 10 - A
SUBJECT: Consideration of appointment or re-appointment of three (3) members to the City's Planning and Zoning Advisory Board.

LOCATION:	N/A
BACKGROUND:	<p>The terms of Chairman Tom Burbank (appointed by former Commissioner Zischkau), Member Victor Ramos (appointed by Vice Mayor Denizac), and Member Michael Kiepert (appointed by Mayor Masiarczyk) to the City's Planning and Zoning Advisory Board expire on March 15, 2013. All three (3) Board members have expressed an interest in serving for another term.</p> <p>The City has run press releases and posted the openings on D-TV, the City's WebPage and bulletin boards. To date, the City has received an application from the following interested individual: Rob Field.</p>
ORIGINATING DEPARTMENT:	City Clerk's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Clerk, Acting City Manager
STAFF RECOMMENDATION PRESENTED BY:	City Clerk Joyce Raftery - That the Commission members confirm the appointment or re-appointment of three (3) individuals as selected by the appointing members of the City Commission to the Planning and Zoning Advisory Board.
POTENTIAL MOTION:	"I move to confirm the Commission member's appointment

(s) or re-appointment(s) with a term to expire on March 15, 2016 to the Planning and Zoning Advisory Board."

**AGENDA ITEM
APPROVED BY:**

William "Dave" Denny, Acting City
Manager

ATTACHMENTS:

- P&Z Board Member List
- Burbank - Request for Reappointment
- Burbank - P&Z Application
- Kiepert - Request for Reappointment
- Kiepert - P&Z Application
- Ramos - Request for Reappointment
- Ramos - Application to P&Z Board
- Field - Application to P&Z Board

City of Deltona, Florida
PLANNING AND ZONING BOARD

	<u>Appointed By</u>	<u>Apptd. Date</u>	<u>Term Exp.</u>
David McKnight CHAIRMAN 2910 Newmark Dr. Deltona, FL 32738 (386) 214-1927 Email: Dave.m@earthlink.net	Commissioner Herzberg (District 3)	04-04-11	03-15-14
Victor M. Ramos VICE CHAIR 1540 Howland Blvd. P.O. Box 390413 Deltona, FL 32739 (386) 532-7881 (H) (786) 261-4380 (C) Email: pitirre@cfl.rr.com	Vice Mayor Denizac (District 1)	12-17-07 03-01-10 (Re-apptd.)	03-15-13
Michael Kiepert 3254 Wild Pepper Ct. Deltona, FL 32725 (386) 789-1092 Email: Michael@kiepert.net	Mayor Masiarczyk	10-03-11	03-15-13
Tom Burbank 2073 Brewster Drive Deltona, FL 32738 (386) 747-1944 Email: tburbank@cfl.rr.com	Commissioner Barnaby (District 2)	03-10-10	03-15-13
Noble Olasimbo 2768 Foxdale Dr. Deltona, FL 32738 (386) 737-6023 (386) 483-9093 Email: nolasimbo@bellsouth.net	Commissioner Schleicher (District 4)	04-04-11	03-15-14
Adam Walosik 1426 Montecito Ave. Deltona, FL 32738 (407) 625-4194 Email: awalosik@cfl.rr.com	Commissioner Lowry (District 5)	04-04-11	03-15-14
Heather A. Mulder 2092 Apple Court Deltona, FL 32725 (386) 216-9623 Email: mulder1143@aol.com	Commissioner Nabicht (District 6)	11-01-10 04-04-11	03-15-14

Staff Liaison:

Chris Bowley, AICP
 Planning & Development Services Director
 2345 Providence Blvd.
 Deltona, FL 32725
 (386) 878-8602
 (386) 878-8501 Fax
 Email: cbowley@deltonafl.gov

Mitch Honaker

From: Joyce Kent
Sent: Monday, February 04, 2013 8:21 AM
To: Mitch Honaker
Subject: FW: P and Z Board openings

FYI

Joyce Kent, CMC
 City Clerk

City of Deltona
 2345 Providence Blvd.
 Deltona, FL 32725
 Phone: 386-878-8502
 Fax: 386-878-8501

Florida's Bright Spot!

From: Faith Miller
Sent: Monday, February 04, 2013 7:12 AM
To: Tom Burbank
Cc: Joyce Kent
Subject: Re: P and Z Board openings

Tom:

I will pass that on. Thank you.

Faith Miller
 Sent from my iPhone

On Feb 4, 2013, at 5:58 AM, "Tom Burbank" <tcburb1950@gmail.com> wrote:

Faith,

I note that the City is seeking to fill 3 spots on the P and Z. For the record I am interested in a second term.

Thanks.

--

Tom Burbank

From: forms@deltonafl.gov
To: [Joyce Kent](#)
Subject: Board/Committee Application
Date: Thursday, November 26, 2009 8:56:45 AM

A message has been sent to you from a contact form on your Web site at: <http://deltonafl.gov/go/deltona-sections/departments/city-clerk/advisory-boards-application-form> If the user filled out his or her email address, you can hit "reply" in your email program to reply to their email address.

Board Committee Application

Name of Board or Committee: Planning and Zoning

Personal Information

Name: Tom Burbank
 Address: 2073 Brewster Drive
 City: Deltona
 State: FL
 Zip: 32738
 Years Residence: 43
 District: 1
 Phone: 386-747-1944
 Email: tburbank@cfl.rr.com
 Registered Voters Yes:
 Registered Voters No:

Summarize your work experience

Employer: Retired
 No. of years: .08
 Address: Same as above
 Phone: Same as above
 Position: retired

Work Experience: Resume: Professional Experience City of Deltona Deltona, Florida 5/20/2007 – 10/27/2009 Planning Manager/Planner II,/Acting Director This position is responsible for overseeing and monitoring all new development activity in the City of Deltona, population roughly 85,000. This department spends the majority of its time guiding developers through the site development plan approval process. This department takes in applications for development approval, reviews the plans, distributes these plans to all interested departments and agencies, collects pertinent comments and advises the applicant accordingly. I also oversee all applications for rezoning, variances, and conditional uses. I am also charged with the preparation of reports and presentations to the Planning and Zoning Board and City Commission as regards those activities outlined above. The position also entails continuous

contact with the development community and general public as relates to these activities. My department is also responsible for the issuance of occupational licenses, paying particular attention to compliance with local regulation. Assist in the continuing modification to local codes, which are living documents, assist City Engineer with development of standards for development activities. Zev Cohen & Associates, Inc. Ormond Beach, Florida 1988-2007 Project Manager/CADD Technician Having been with ZCA for more than 18 years, my experience was broad and my responsibilities diverse. Most required considerable liaison with staff, clients and governing agencies. These include but are not limited to: Preparation of Concept and Sketch Plans o Involves client contact and customer service; due diligence; understanding and implementation of Land Development Codes and zoning ordinances; and knowledge of market forces; to achieve "highest and best use" o understanding of market forces as related to costs of design and costs to build (valued added design) Development of Final Site Plans and Final Plats o The next step in the above process, wherein additional governing agencies, such as SJRWMD, USCOE, and DEP become involved o Requires a thorough understanding of Land Development rules and practices, zoning policies and principles, and considerable knowledge of other governing agencies' regulations Assist in the preparation of applications for rezoning, special exceptions, conditional uses and other matters, including correspondence to FEMA regarding Flood Insurance Program issues Provide training and ongoing assistance for newly hired engineers, interns and support staff County of Volusia 1975-1988 GIS Team Leader Volusia County Geographic Information Services 1986-1988 Launched a newly created department o Established departmental goals, policies and procedures o Developed and managed the budget o Negotiated vendor contracts o Selected staff and designed training programs E-911 Task Force Leader and Cartographic Supervisor Volusia County Planning Department 1982-1986 Supervised staff in the creation, maintenance and disbursement of official Volusia County Zoning Maps Assisted in the preparation of reports regarding county land use activities Prepared a census of Volusia County street names and addresses Coordinated efforts and communication with Postmasters, EMS teams, and the public Mapping Supervisor Volusia County Property Appraiser 1976-1982 Supervised highly skilled crew in the development of large scale, accurate ownership maps, reflecting best available data and information contained within the public record Drafting Technician Volusia County Planning Department 1975-1976 Graphic design for the Volusia County Comprehensive Plan Mauney Engineering Orange City, Florida 1974-1975 Land Surveyor Instrument man, duties normally associated with a land surveying team Community Activities Past Chairman, Deltona Family YMCA Planning & Steering Committee Chairman, Deltona Family YMCA Board of Directors Past Secretary, City of Deltona Planning and Zoning Board Board of Directors, Volusia/Flagler YMCA Education Master of Science in Environmental Management, Webster University (in progress) Bachelor of Arts in Management, Webster University Associate of Science in Technical Illustration, Daytona Beach Community College Certificate in Mechanical Drawing, Mary Karl School of Applied Science Graduate, Deland High School Military Experience United States Army 1970-1972 Honorable Discharge References Former Deltona Mayor John Masiarczyk (386-789-4155) Ralph Blackwell, PLS, President, Blackwell & Assoc. (386-734-8050) Dr. Tom Janke, Florida Director, Webster University (407-869-8111) Stan Smith, GIA Development (407-324-1178) Bill Musser, P.E., Principal, Tetra Tech (407-839-3955) Mark Watts, Cobb and Cole (386-736-7700)

Education

School	Years	Degree
Webster Univ.	current student	MS - Environmental Science
Webster Univ.	2007-2009	BA - Management
Daytona State College	1980-1988	AS - Technical Illustration

Volunteer, Civic, Professional, & Other Activities

List any volunteer service organizations, clubs, or professional societies you are a member of and give the positions or titles you have held.

Deltona Municipal Services District Advisory Board (Parks and Rec. Committee)
 Deltona Family YMCA Planning and Steering Committee (Chairman) Deltona Family
 YMCA (past Branch Board Chair) Volusia/Flagler YMCA (HR committee)

Have you ever served on a committee or advisory board? If so, give the details, including any positions held.

City of Deltona Planning and Zoning Board (Secretary) Deltona Teen Club
 (Secretary/Treasurer)

Have you ever held public office? If so, give the details, including offices involved, whether elected or appointed, and the length of service.

No

Reasons For Serving

Describe any additional knowledge, skill, education, or experience you have, which would assist you in the duties of this Board/Committee.

Having been a resident for almost 43 years I "know" the area as well as anybody currently living. As a former Planning Manager and Acting Director for the City I have an in depth and thorough understanding of the Land Development Code, the Zoning Ordinance and the Comprehensive plan. As the former National Flood Insurance Program representative for the City I have a thorough understanding of issues involving flooding and related issues. As a former project manager for a civil engineering firm I have a thorough understanding of the development approval processes, including site plan development, subdivisions, zoning and comprehensive plan matters, conditional uses, variances, etc. As a former Deputy Appraiser with Volusia County I have an awareness of property values, and the effect that P and Z decisions have on them. As a former land surveyor I have considerable knowledge of that practice as well as a thorough understanding of public records involving land transfers, etc.

Explain why you want to serve on this Board/Committee, and include any potential contribution you selection would bring.

I have since 1968 been active in Deltona's affairs. I feel my work experience, education and training would make me an ideal candidate for the position; being retired I now have additional time to serve the community.

Miscellaneous

Potential conflict of interest: Do you do business, or are you engaged in the management of any business enterprise that has a financial interest with the City of Deltona? Please give details, including the name of the enterprise, the nature of the business, and the position you hold.

None

Have you ever been convicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? If so, give details. Do not include traffic violations or fines of 100 dollars or less that were imposed, unless it also included a jail sentence.

No

References

List names, addresses, and telephone numbers of at least three persons who are in a position to comment on your qualifications and of whom inquiry may be made by the City of Deltona.

Additional Information or Comments

Kiepert - Request for Reappointment to P&Z

From: Michael Kiepert <Michael@kiepert.net>
 Sent: Tuesday, February 12, 2013 9:18 AM
 To: Chris Bowley
 Cc: Joyce Kent; Mitch Honaker; Traci Houchin
 Subject: RE: P&Z Board Appointment

Chris -

Per our conversation, if the position hasn't been filled yet I would be interested in another term.

Michael Kiepert

From: Michael Kiepert [mailto:Michael@kiepert.net]
 Sent: Thursday, February 07, 2013 8:51 AM
 To: 'Chris Bowley'
 Cc: 'Joyce Kent'; 'Mitch Honaker'; 'Traci Houchin'
 Subject: RE: P&Z Board Appointment

Chris - Thank you for the follow-up but I'm not looking for a reappointment. Just not enough hours in the day lately.

Have a great day,

Michael Kiepert

From: Chris Bowley [mailto:CBowley@deltonafl.gov]
 Sent: Monday, February 04, 2013 11:53 AM
 To: Michael@kiepert.net
 Cc: Joyce Kent; Mitch Honaker; Traci Houchin
 Subject: P&Z Board Appointment

Hello, Michael. Your current P&Z Board membership expires on March 15, 2013 and you are eligible for a reappointment. You were appointed by Mayor Masiarczyk. If you would like to continue as a P&Z Board member, please respond to this email and reply to all, so that the City Clerk, Deputy City Clerk, and P&Z Staff are copied.

Thank you!

Chris Bowley, AICP
 Director, Planning & Development Services
 2345 Providence Boulevard
 Deltona, Florida 32725
 386.878.8602
 cbowley@deltonafl.gov

Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. The City of Deltona's policy does not differentiate between personal and business emails. This means email messages, including your e-mail

P & Z

Traci Houchin

From: Joyce Kent
Sent: Thursday, August 18, 2011 10:04 AM
To: Traci Houchin
Subject: Citizen Board/Committee Application
Attachments: Attach0.html

FYI

Joyce Kent, CMC
 Deltona City Clerk
 2345 Providence Blvd.
 Deltona, FL 32725
 Phone: 386-878-8502
 Fax: 386-878-8501

Florida's Bright Spot!

From: DeltonaFL_CommentsArchives [mailto:DeltonaFL_CommentsArchives@ma.virtualltownhall.net]
Sent: Wednesday, August 17, 2011 9:55 PM
To: Joyce Kent
Subject: Fwd: Citizen Board/Committee Application

Request From: Michael Kiepert
 Email: michael@kiepert.net
 Source IP: 97.100.187.246

Address: 3254 ^{WILD} ~~Wild~~ Pepper Ct
 City: Deltona
 State: FL
 Zip: 32725
 Phone: 386-789-1092
 Alt Phone: 386-789-6585
 Fax:
 Organization:

Checkbox Choices
 Planning & Zoning Board,

Number of Years as a Deltona Resident
 11 - 15 Years

What Commission district do you reside in?

District 2

Are you a registered voter in Volusia County?

Yes

Who is your employer? (Please include number of years, address, phone number and title/position)

Lightway Industry, 28435 Industry Dr. Valencia CA 866-350-0991 Sales Manager 8 years

Please summarize your work experience.

Sales Manager for eastern half of the United States

List any volunteer service organizations, clubs, or professional societies you are a member of and give the positions or titles you have held.

Community Life Center – Past Board Member

Have you ever served on a committee or advisory board? If so, give the details, including any positions held.

Have you ever held public office? If so, give the details, including offices involved, whether elected or appointed, and the length of service.

City Manager Selection – Vice Chair

Describe any additional knowledge, skill, education, or experience you have, which would assist you in the duties of this Board/Committee.

Understanding of the City

Explain why you want to serve on this Board/Committee, and include any potential contribution you selection would bring.

Serve teh city

Potential conflict of interest: Do you do business, or are you engaged in the management of any business enterprise that has a financial interest with the City of Deltona? Please give details, including the name of the enterprise, the nature of the business, and the position you hold.

None

Have you ever been convicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? If so, give details. Do not include traffic violations or fines of \$100 or less that were imposed, unless it also included a jail sentence.

No

List names, addresses, and telephone numbers of at least three persons who are in a position to comment on your qualifications and of whom inquiry may be made by the City of Deltona.

Emmerson Lamb 386-532-4377

Ron Willard 386-789-9144

Dennis Mulder 386-216-3620

Additional Information or Comments

Looking forward to Serving

I declare the foregoing facts to be true, correct, and complete.

I agree

Ramos - Request for Reappointment

From: Chris Bowley
 Sent: Thursday, February 21, 2013 11:44 AM
 To: Traci Houchin
 Cc: Mitch Honaker; Joyce Kent
 Subject: RE: Victor Ramos

Traci, I agree with your assessment. Since Victor has expressed interest in serving another term, please include his name with the others seeking reappointment in March of this year.

Thanks,

Chris

From: Traci Houchin
 Sent: Thursday, February 21, 2013 10:32 AM
 To: Chris Bowley
 Subject: Victor Ramos
 Importance: High

Chris,

In looking thru all the documentation in Laserfiche, it appears that Victor Ramos replaced Rafael Valle as of 12/17/07 with the term to expire on 3/15/09 (total of 15 months), however, March 2009 came and went without Victor's re-appointment going to the Commission and he continued to serve until 3/1/10 at which time he was re-appointed for three (3) years with a term date of 3/15/13.

According to the P&Z Code of Ordinances - Section 1200.01 - No board member shall serve on the board for more than two consecutive three-year terms. Therefore, I believe he is eligible to continue his term and his application should be included in the Agenda Memo. He has expressed an interest in continuing his term at our last meeting that was held on 2/20/13.

If you feel that this is correct, please forward to the Clerk's office so that they can make the appropriate changes.

Traci
 Traci Houchin, CMC
 Administrative Assistant II
 Planning and Development Services
 City of Deltona
 386-878-8606
 386-878-8601 (fax)
 thouchin@deltonafl.gov

Joyce Kent

From: Victor M. Ramos <pitirre@cfl.rr.com>
Sent: Monday, February 25, 2013 3:58 PM
To: Joyce Kent
Subject: Citizen Board/Committee Application
Attachments: Attach0.html

Request From: Victor M. Ramos
 Email: pitirre@cfl.rr.com
 Source IP: 169.139.176.84

Address: PO Box 390413
 City: Deltona
 State: FL
 Zip: 32739
 Phone:
 Alt Phone:
 Fax:
 Organization:

Checkbox Choices
 Planning & Zoning Board,

Number of Years as a Deltona Resident
 6 - 10 Years

What Commission district do you reside in?
 District 5

Are you a registered voter in Volusia County?
 Yes

Who is your employer? (Please include number of years, address, phone number and title/position)
 Daytona State College 2351 Providence Blvd. - 386-789-7316 - 5yrs - Student Development Advisor

Please summarize your work experience.
 Advising and Teaching

List any volunteer service organizations, clubs, or professional societies you are a member of and give the positions or titles you have held.
 Ledership Development Institute LDI - Mentoring for Trio Upward Bound - Relay for Life

Have you ever served on a committee or advisory board? If so, give the details, including any positions held.
 Have you ever held public office? If so, give the details, including offices involved, whether elected or appointed, and the length of service.

Current PnZ City of Deltona - Miami Dade Community Relations Board (CRB)- City Miami Advisory Board

Describe any additional knowledge, skill, education, or experience you have, which would assist you in the duties of this Board/Committee.

I have volunteer over 15yrs with City and County Boards

Explain why you want to serve on this Board/Committee, and include any potential contribution you selection would bring.

Potential conflict of interest: Do you do business, or are you engaged in the management of any business enterprise that has a financial interest with the City of Deltona? Please give details, including the name of the enterprise, the nature of the business, and the position you hold.

no

Have you ever been convicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? If so, give details. Do not include traffic violations or fines of \$100 or less that were imposed, unless it also included a jail sentence.

no

List names, addresses, and telephone numbers of at least three persons who are in a position to comment on your qualifications and of whom inquiry may be made by the City of Deltona.

Vonzelle Johnson 386-848 9719 - Miguel Rivera 386-506-3814 - Rafi Santos 305-890-8988

Additional Information or Comments

I declare the foregoing facts to be true, correct, and complete.

I agree

Citizen Board/Committee Application

Rob Field

To: Joyce Kent
Sent On: Saturday, November 17, 2012 2:18:19 AM
Archived On: Saturday, November 17, 2012 2:18:50 AM
Identification Code: eml:4eb82e4f-7995-4f3e-bfd0-2feb9d807c34-2147379993
Folders: Inbox
Attachments: Attach0.html (3 KB)

Request From: Rob Field
Email: field.rob@gmail.com
Source IP: 68.204.220.225

Address: 1194 N. Old Mill Drive
City: DELTONA
State: FL
Zip: 32725
Phone: 386-243-0239
Alt Phone:
Fax:
Organization:

Checkbox Choices
Planning & Zoning Board,

Number of Years as a Deltona Resident
2 - 5 Years

What Commission district do you reside in?
District 2

Are you a registered voter in Volusia County?
Yes

Who is your employer? (Please include number of years, address, phone number and title/position)
DemCAMP, 2.5 years, 1194 N. Old Mill Dr., (386) 232-8336, Partner

Please summarize your work experience.
20 years buying, selling, and fixing computers and network equipment. 7 years political work, especially policy and communications.

List any volunteer service organizations, clubs, or professional societies you are a member of and give the positions or titles you have held.

Elks # 2355, Woodbridge, VA, Chair, Drug Awareness Committee. Elks # 1463, DeLand, FL. President, Five Cities Democratic Club. Vice-President, Southwest Volusia Democratic Club.

Have you ever served on a committee or advisory board? If so, give the details, including any positions held. Have you ever held public office? If so, give the details, including offices involved, whether elected or appointed, and the length of service.

No.

Describe any additional knowledge, skill, education, or experience you have, which would assist you in the duties of this Board/Committee.

I spent seven months as a candidate for City Commission, during which I intensely studied the finances and operations of City government. This has given me insight that would allow me to make independent judgments about complex financial issues facing the City.

Explain why you want to serve on this Board/Committee, and include any potential contribution you selection would bring.

I have invested considerable time, energy, and lost income into the future of our City, and I wish to put what I learned to use for the benefit of the citizens of Deltona.

Potential conflict of interest: Do you do business, or are you engaged in the management of any business enterprise that has a financial interest with the City of Deltona? Please give details, including the name of the enterprise, the nature of the business, and the position you hold.

No.

Have you ever been convicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? If so, give details. Do not include traffic violations or fines of \$100 or less that were imposed, unless it also included a jail sentence.

No.

List names, addresses, and telephone numbers of at least three persons who are in a position to comment on your qualifications and of whom inquiry may be made by the City of Deltona.

Mike Williams
2889 Cottageville St.
Deltona, FL 32738-9773
386-804-6136

Robert Clinger
6809 Woodgrain Ct.
Ocoee, FL 34761
(386) 878-8555

Heidi Herzberg
556 Nardello Drive
Deltona, FL 32725
386-717-8114

Additional Information or Comments

I declare the foregoing facts to be true, correct, and complete.

I agree



AGENDA MEMO

TO: Mayor & City Commission

AGENDA DATE: 3/4/2013

FROM: William "Dave" Denny, Acting City Manager

AGENDA ITEM: 10 - B

SUBJECT: Request for approval of Resolution No. 2013-07 declaring certain property of the City as surplus and authorizing the sale or disposal of such property.

LOCATION:

N/A

BACKGROUND:

Over time certain items of the City become obsolete or lose their usefulness via replacement, upgrade, or they are no longer functional and need to be declared surplus or disposed of by the most appropriate means available. The attached resolution declares certain vehicles, equipment and miscellaneous items as surplus.

ORIGINATING DEPARTMENT:

Purchasing

SOURCE OF FUNDS:

N/A

COST:

N/

REVIEWED BY:

Acting City Manager

STAFF RECOMMENDATION PRESENTED BY:

Robert Clinger, Finance Director - staff recommends adopting Resolution No. 2013-07 declaring certain property of the City as surplus and authorizing the sale or disposal of such property.

POTENTIAL MOTION:

"I move to adopt Resolution No. 2013-07 declaring certain property of the City as surplus and authorizing the sale or disposal of such property."

AGENDA ITEM APPROVED BY:

William "Dave" Denny, Acting City

ATTACHMENTS:

Manager

- Resolution 2013-07
- 2013 Items for Disposal

RESOLUTION NO. 2013-07

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF DELTONA, FLORIDA, PERTAINING TO THE
SALE OF SURPLUS PROPERTY; DECLARING CERTAIN
PROPERTY OF THE CITY AS SURPLUS AND
AUTHORIZING THE SALE OR DISPOSAL OF SUCH
PROPERTY; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, over time, certain tangible personal property of the City becomes obsolete or loses its usefulness due to replacement, upgrade or loss functionality; and

WHEREAS, such property is surplus and should be disposed of by the most appropriate means available;

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

Section 1. The City of Deltona hereby declares the tangible personal property described in Exhibit A attached hereto to be surplus.

Section 2. The Interim City Manager is hereby directed to dispose of these surplus items via whatever means he deems most appropriate.

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

PASSED AND RESOLVED this ____ day of _____, 2013, by the City Commission of the City of Deltona, Florida.

BY: _____
JOHN MASCIARCZYK, SR., Mayor

City of Deltona, Florida
Resolution No. 2013-07
Page 2 of 2

ATTEST:

JOYCE KENT, City Clerk

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

GRETCHEN R.H. VOSE, City Attorney

ASSET #	CITY ID#	DESCRIPTION	TAG #	S/N	DEPT	CUST	DATE ACQ	CBV	YEAR	MILEAGE
12970	ES-0733	FORD F-250 EXT. CAB 4X2	35030	1FTSX20588EA02086	196	Enf. Svcs	6/14/2007	0	2007	122878
12480	ES-0628	FORD F-250 EXT. CAB 4X2	1517	1FTSX20566EC67361	196	Enf. Svcs	3/23/2006	0	2006	112786
10309	CS-9726	FORD TAURUS	35331	1FAFP52U5WA112126	190	City Manager	10/2/1997	0	1998	64600
10877	CS-0231	FORD F-250	1302	1FTNX21L53EB20440	157	Const. Svcs.	12/12/2002	0	2003	67000
10874	CS-0232	FORD F-250	1307	1FTNX21L73EB40530	157	Const. Svcs.	12/12/2002	0	2003	82100
10335	CS-0039	FORD F-150 4 X 4 SUPERCAB	38599	1FTRX18W51NA78490	157	Const. Svcs.	12/27/2000	0	2001	123392
11403	PR-0557	E150 VAN	35420	1FTNE24L05HA74745	720	Parks	12/22/2004	0	2005	128000
10338	CH-0136	FORD RANGER		1FTYR14U12PA58771	131	IT	12/31/2001	0	2002	38425
10348	PR-0144	FORD F-250	38589	1FTNX20L42EB43904	720	Parks	12/31/2001	0	2003	118500
12430	PR-0611	FORD F-250	1503	1FTNF205X6EC67377	720	Parks	3/2/2006	0	2006	130000
11148	EN-0403	FORD F-250	1213	1FTNX20LX4EA62103	415	PW	12/30/2003	0	2004	83000
10863	EN-0221	FORD EXPLORER 4X2	1305	1FMZU62K42UD60361	415	PW	11/2/2002	0	2002	78000
10880	FO-0235	FORD F-250 4X4	1129	1FTNF21L63EA54273	416	PW	1/2/2003	0	2003	90000
12321	DW-0587	FORD F-250 4X4	1486	1FDNF21545EB86545	362	Wastewater	5/12/2005	0	2005	106000
10437		JET SKI 1997 YAMAHA 760 WAVE RUNNER	1262	806916	222	Fire	8/11/2000	0	2007	
10370		TRAILER, OFFICE W/STEPS	B10117		720	Parks	3/12/2001	0	2001	
10365		TRAILER, PRINT SHOP	B11041		416	Public Works	3/31/1999	0	1999	
MISC TIRES										
(1) Carlisle Turf Saver 23 x 10.5 x- 12										
(2) Firestone Industrial 11L-15										
(5) Power King Super Highway R-8 with rims 8.75 - 16.5 LT										
MISCELLANEOUS COMPUTER ITEMS										
13828		Optiplex 755	37896	JMY5GH1						
12545		Optiplex GX620	35876	JLHPBB1						
14343		Latitude ATG 0620	37276	HGQ9KC1						
15363		Cisco R600	38101	JMX0822L616						
		Cisco 3600	38193	JAB05458089						
		Cisco Catalyst 3560	37411	FOC12361005Q						
		HP Q808 PrinterPrinter		CN7BRG2327						

		Powredge 2950		JZ6OGD1					
		HP 460 Printer		my68b4z1wd					
		HP 450 Printer		sg57d4107y					
14024		Dell 745	37284	J182HC!					
122718		Dell 745	37283	F182HC1					
		Protech 2000 Audio Mixing system							
		Protech 2000 court audio system							
		dell monitor stands & port replicators							
		HP Color LaserJet 3700		CNFBB21705					
		HP Deskjet 5650		unknown					
		HP LaserJet Series II		890965452					
		Compaq 7550		213CR43CG215					
		Dell OptiPlex GXa	2	D2C8S and D2BYH					
		HP Fax Model 920	2	MY0BLF311M and MY11VF30G5					
		Gateway 17" Monitors	2	MU17089A0007865 and MU17089B0010569					
		Brother Electric Typewriter GX-	1						
		Compaq 7550 17" Monitor	1	213CR43CG215					
		HP Color LaserJet 3700 Printer	1	CNFBB21705					
		Computer Keyboards	2						
		HP LaserJet Series II Printer	1	890965452					
		HP Deskjet 5650 Printer	1	Serial # unknown					
12711	35706	Dell 745	1	DFO3HC1					
		HP Deskjet 450 Printer	1	SG57D41OPK					
Other small dollar miscellaneous items throughout the year.									



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 3/4/2013
FROM: Becky Vose, City Attorney **AGENDA ITEM:** 10 - C
SUBJECT: Request for approval of Resolution No. 2013-08.

LOCATION:

Drainage rights of way in Blocks 1630 and 1631 of Deltona Lakes Unit Sixty-Three and drainage retention areas adjacent to Deltona Lakes Unit Sixty-Three, according to the plat thereof recorded in Map Book 28, pages 100 to 105, inclusive, public records of Volusia County, Florida.

BACKGROUND:

Resolution No. 2013-08 is presented for City Commission's consideration. The Resolution provides for the execution and delivery of a Conservation Easement to the St. Johns River Water Management District. City grants this conservation easement as a condition of permit #4-127-126863-1 issued by St. Johns River Water Management District, solely to off-set adverse impacts to natural resources, fish and wildlife, and wetland functions.

The City desires to preserve the property in its natural condition in perpetuity.

ORIGINATING DEPARTMENT:

City Attorney's Office

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

Acting City Manager; Public Works Director; City Attorney

STAFF RECOMMENDATION PRESENTED BY:

Becky Vose, City Attorney – That the Commission approve and adopt Resolution No. 2013-08 and authorize the Acting City Manager to execute any and all necessary documents for the granting of this conservation easement to the St. Johns River Water Management District, as per the permit.

POTENTIAL

MOTION:

“I hereby move for the adoption of Resolution No. 2013-08 and authorization that the Acting City Manager executes any and all necessary documents for the granting of the conservation easement to the St. Johns River Water Management District.”

**AGENDA ITEM
APPROVED BY:**

William "Dave" Denny, Acting City
Manager

ATTACHMENTS:

- Resolution No. 2013-08
- Bluefield Stormwater Pond Improvement Sketch for Conservation Easement

RESOLUTION NO. 2013-08

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, GRANTING AND CONVEYING TO THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT A CONSERVATION EASEMENT ON PROPERTY LOCATED IN VOLUSIA COUNTY, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", AS A CONDITION OF PERMIT NO. 4-127-126863-1, TO ASSURE THAT THE PROPERTY WILL BE RETAINED FOREVER IN ITS EXISTING NATURAL CONDITION AND TO PREVENT ANY USE OF THE PROPERTY THAT WILL IMPAIR OR INTERFERE WITH THE ENVIRONMENTAL VALUE OF THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Deltona slowly owns in fee simple certain real property in Volusia County, Florida, more particularly described in Exhibit "A"; and

WHEREAS, the City of Deltona desires to grant a conservation easement on the described property as a condition of permit #4-127-126863-1 issued by St. Johns River Water Management District, solely to offset adverse impacts to natural resources, fish and wildlife, and wetland functions; and

WHEREAS, the City of Deltona desires to preserve the property in its natural condition in perpetuity.

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

SECTION 1. That the City of Deltona, pursuant to the provisions of section 704.06, Florida Statutes, hereby directs the City Manager to do all acts necessary to grant and convey to St. Johns River Water Management District a conservation easement in perpetuity over the described property of the nature and character and to the extent set forth in the "Conservation Easement."

SECTION 2. This Resolution shall become effective immediately upon its adoption by the City Commission.

City of Deltona, Florida
Resolution No. 2013-08
Page 2 of 2

**ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA,
FLORIDA THIS _____ DAY OF MARCH, 2013.**

JOHN C. MASIARCZYK SR., MAYOR

ATTEST:

JOYCE KENT, CITY CLERK

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

**GRETCHEN R. H. VOSE
CITY ATTORNEY**



BASKERVILLE-DONOVAN, INC.
 INNOVATIVE INFRASTRUCTURE SOLUTIONS
 7155 MURRELL ROAD, SUITE 101
 MELBOURNE, FLORIDA 32940 (321)254-3663
 SURVEYING BUSINESS: LB-0006340

SKETCH
 FOR
 CONSERVATION EASEMENT

PROJECT:	72409.01
DRAWING DATE:	04/13/11
SECTION:	11
TOWNSHIP:	19 S
RANGE:	31 E



POINSETTA PARK
 SUBDIVISION
 MAP BOOK 7, PG 117

P.O.C.
 NW CORNER OF
 GATLING AVE

500°05'25"E
 700.11'

WEST LINE OF EAST 1/2 OF
 NW 1/4 SECTION 11, T19S, R31E

WEST LINE OF EAST 1/2 OF
 NW 1/4 SECTION 11, T19S, R31E

FLORIDA EAST COAST RAILWAY
 50' WIDE R/W

DELTONA LAKES
 UNIT SIXTY-THREE
 BLOCK 1631

REMAINING PORTION OF DRAINAGE
 RETENTION AREA PER PLAT

BILBERG AVENUE
 50' WIDE R/W PER PLAT

REMAINING PORTION OF DRAINAGE
 RETENTION AREA PER PLAT

DELTONA LAKES
 UNIT SIXTY-THREE
 TRACT H

PROPOSED
 CONSERVATION
 EASEMENT
 14.879 ACRES

DELTONA LAKES
 UNIT SIXTY-THREE
 BLOCK 1639

ABBREVIATIONS

E	EAST
ID	IDENTIFICATION
N	NORTH
ORB	OFFICIAL RECORDS BOOK
NTS	NOT TO SCALE
PG	PAGE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
R/W	RIGHT OF WAY
S	SOUTH
W	WEST

NOTES:

THIS IS NOT A BOUNDARY SURVEY

THIS LEGAL & SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

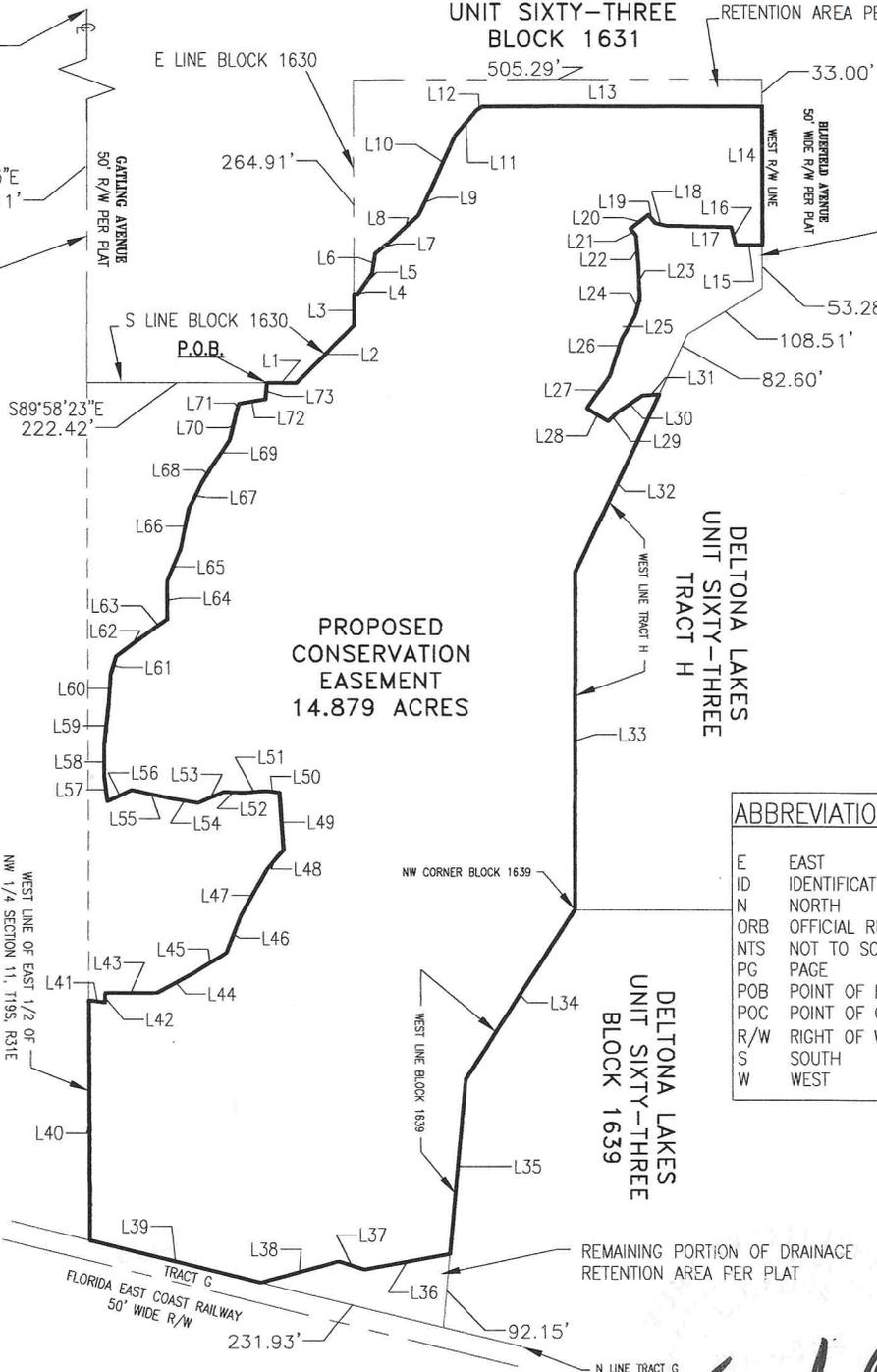
THIS IS NOT A BOUNDARY SURVEY. THIS IS A LEGAL DESCRIPTION AND SKETCH, FOR THE PURPOSE OF DELINEATING A CONSERVATION EASEMENT.

BEARINGS AND COORDINATES SHOWN HEREON ARE BASED UPON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 901.

NO UNDERGROUND UTILITIES HAVE BEEN SHOWN.

NO TITLE SEARCH WAS PERFORMED.

THE BASIS OF THIS LEGAL & SKETCH WAS BASED UPON THE PLAT OF DELTONA LAKES, UNIT SIXTY-THREE AND THE ACTUAL LOCATION OF SURVEY CONTROL FOUND IN THE FIELD. THE FIELD WORK WAS PERFORMED ON 9/15/10 IN FIELD BOOK 74, PAGES 35 THROUGH 37.



Kraft
 5-18-11

REVISIONS			
NO.	BY	DESCRIPTION	DATE

**KRAFT/BLUEFIELD
 STORMWATER POND IMPROVEMENTS**

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR

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SHEET:	1 OF 5

Item 10C

61

BASKERVILLE-DONOVAN, INC.
 INNOVATIVE INFRASTRUCTURE SOLUTIONS
 7155 MURRELL ROAD, SUITE 101
 MELBOURNE, FLORIDA 32940 (321)254-3883
 SURVEYING BUSINESS: LB-0000340

LINE TABLE
 FOR
 CONSERVATION EASEMENT

PROJECT: 72409.01
 DRAWING DATE: 04/13/11
 SECTION: 11
 TOWNSHIP: 19 S
 RANGE: 31 E

Line Table		
Line #	Length	Direction
L1	36.52	S89° 58' 23"E
L2	101.00	N44° 53' 37"E
L3	38.71	N0° 12' 23"W
L4	5.00	N88° 57' 20"E
L5	31.31	N33° 47' 08"E
L6	24.64	N8° 07' 43"E
L7	27.55	N51° 41' 03"E
L8	43.93	N46° 46' 18"E
L9	35.60	N25° 57' 38"E
L10	73.24	N24° 31' 23"E
L11	40.52	N39° 58' 09"E
L12	8.72	N54° 52' 08"E
L15	32.37	N89° 37' 48"W
L16	22.63	N13° 52' 25"W
L18	14.46	N75° 21' 17"W
L19	13.04	N38° 01' 43"W
L20	28.29	S51° 58' 17"W
L21	10.88	S38° 01' 43"E
L22	35.84	S4° 38' 33"E
L23	41.80	S1° 59' 46"E
L24	22.34	S15° 45' 47"W
L25	33.23	S29° 10' 49"W
L26	48.81	S17° 58' 04"W
L27	48.51	S34° 52' 30"W
L28	30.35	S58° 06' 07"E

Line Table		
Line #	Length	Direction
L29	15.67	N44° 44' 43"E
L30	37.20	N56° 11' 17"E
L31	21.34	N86° 20' 43"E
L32	243.12	S25° 11' 14"W
L33	420.00	S0° 08' 29"W
L34	249.39	S32° 35' 31"W
L35	217.76	S5° 04' 47"W
L36	107.69	S79° 20' 15"W
L37	32.85	N72° 12' 07"W
L38	99.66	S74° 48' 29"W
L39	216.91	N76° 04' 56"W
L40	298.65	N0° 14' 21"W
L41	20.24	S81° 24' 21"E
L42	11.69	N0° 14' 21"W
L43	64.08	N89° 25' 21"E
L44	52.61	N61° 39' 33"E
L45	46.75	N57° 57' 34"E
L46	48.75	N20° 25' 44"E
L47	66.06	N29° 32' 29"E
L48	32.33	N39° 17' 02"E
L49	71.25	N3° 49' 02"W
L50	18.04	N84° 40' 39"W
L51	27.23	S85° 36' 14"W
L52	23.63	N87° 20' 40"W
L53	34.55	S65° 58' 50"W

Line Table		
Line #	Length	Direction
L54	34.24	N80° 58' 37"W
L55	49.39	N77° 38' 50"W
L56	33.73	S65° 02' 33"W
L57	30.75	N6° 29' 02"W
L58	39.97	N0° 15' 59"W
L59	51.75	N6° 17' 38"E
L60	35.60	N3° 33' 30"E
L61	23.72	N16° 26' 11"E
L62	51.21	N53° 36' 30"E
L63	27.25	N54° 22' 23"E
L64	47.90	N0° 06' 42"W
L65	43.06	N22° 56' 29"E
L66	50.41	N11° 24' 47"E
L67	35.92	N26° 14' 11"E
L68	26.83	N31° 26' 26"E
L69	36.83	N34° 20' 51"E
L70	35.81	N12° 17' 19"E
L71	10.55	N16° 51' 13"E
L72	33.07	N79° 56' 52"E
L73	20.10	N5° 37' 42"E

Item 10C

62

REVISIONS			
NO.	BY	DESCRIPTION	DATE

KRAFT/BLUEFIELD
 STORMWATER POND IMPROVEMENTS

NOT VALID WITHOUT THE
 SIGNATURE AND THE ORIGINAL
 RAISED SEAL OF A FLORIDA
 LICENSED SURVEYOR

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 SHEET: 2 OF 5



**BASKERVILLE-
DONOVAN, INC.**
INNOVATIVE INFRASTRUCTURE SOLUTIONS
7155 MURRELL ROAD, SUITE 101
MELBOURNE, FLORIDA 32940 (321)254-3663
SURVEYING BUSINESS: LB-000340

**LEGAL DESCRIPTION
FOR
CONSERVATION EASEMENT**

PROJECT:	72409.01
DRAWING DATE:	04/13/11
SECTION:	11
TOWNSHIP:	19 S
RANGE:	31 E

LEGAL DESCRIPTION (BY SURVEYOR):

A PARCEL OF LAND BEING A PORTION OF A DRAINAGE RETENTION AREA LYING IN THE DELTONA LAKES UNIT SIXTY-THREE SUBDIVISION AS RECORDED IN PLAT BOOK 28, PAGE 100 THROUGH 105, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, SECTION 11, TOWNSHIP 19 SOUTH, RANGE 31 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT THE NORTHWEST CORNER OF GATLING AVE AS SHOWN ON SAID PLAT OF DELTONA LAKES UNIT SIXTY-THREE,

THENCE, BEARING SOUTH 00°05'25" EAST, ALONG THE WESTERLY LINE OF SAID PLAT, SAID LINE ALSO BEING THE WEST LINE OF THE EAST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11, A DISTANCE OF 700.11 FEET TO A POINT;

THENCE, BEARING SOUTH 89°58'23" EAST ALONG THE WESTERLY EXTENSION OF BLOCK 1630 OF SAID DELTONA LAKES UNIT SIXTY-THREE AND THEN ALONG THE SOUTH LINE OF SAID BLOCK 1630, A DISTANCE OF 222.42 FEET TO THE POINT AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND;

THENCE, CONTINUE BEARING SOUTH 89°58'23" EAST ALONG SOUTH LINE OF SAID BLOCK 1630, A DISTANCE OF 36.52 FEET TO A POINT;

THENCE, BEARING NORTH 44°53'37" EAST, ALONG THE SOUTHERLY LINE OF SAID BLOCK 1630, A DISTANCE OF 101.00 FEET TO A POINT;

THENCE, BEARING NORTH 00°12'23" WEST, ALONG THE EASTERLY LINE OF SAID BLOCK 1630, A DISTANCE OF 38.71 FEET TO A POINT;

THENCE, LEAVING SAID EAST LINE, BEARING NORTH 88° 57' 20" EAST, A DISTANCE OF 5.00 FEET TO A POINT;

THENCE, BEARING NORTH 33° 47' 08" EAST, A DISTANCE OF 31.31 FEET TO A POINT;

THENCE, BEARING NORTH 08° 07' 43" EAST, A DISTANCE OF 24.64 FEET TO A POINT;

THENCE, BEARING NORTH 51° 41' 03" EAST, A DISTANCE OF 27.55 FEET TO A POINT;

THENCE, BEARING NORTH 46° 46' 18" EAST, A DISTANCE OF 43.93 FEET TO A POINT;

THENCE, BEARING NORTH 25° 57' 38" EAST, A DISTANCE OF 35.60 FEET TO A POINT;

THENCE, BEARING NORTH 24° 31' 23" EAST, A DISTANCE OF 73.24 FEET TO A POINT;

THENCE, BEARING NORTH 39° 58' 09" EAST, A DISTANCE OF 40.52 FEET TO A POINT;

THENCE, BEARING NORTH 54° 52' 08" EAST, A DISTANCE OF 8.72 FEET TO A POINT;

THENCE, BEARING NORTH 89° 56' 26" EAST, A DISTANCE OF 345.59 FEET TO THE WESTERLY RIGHT OF WAY LINE OF BLUEFIELD AVENUE, A 50 FOOT WIDE RIGHT OF WAY AS SHOWN ON AFORESAID PLAT OF DELTONA LAKES UNIT SIXTY-THREE;

THENCE, BEARING SOUTH 00° 08' 29" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 172.14 FEET TO A POINT;

THENCE, LEAVING SAID RIGHT OF WAY LINE, BEARING NORTH 89° 37' 48" WEST, A DISTANCE OF 32.37 FEET TO A POINT;

THENCE, BEARING NORTH 13° 52' 25" WEST, A DISTANCE OF 22.63 FEET TO A POINT;

THENCE, BEARING NORTH 88° 43' 31" WEST, A DISTANCE OF 80.43 FEET TO A POINT;

THENCE, BEARING NORTH 75° 21' 17" WEST, A DISTANCE OF 14.46 FEET TO A POINT;

(CONTINUED NEXT PAGE)

Item 10C

63

REVISIONS			
NO.	BY	DESCRIPTION	DATE

**KRAFT/BLUEFIELD
STORMWATER POND IMPROVEMENTS**

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SHEET:	3 OF 5



**BASKERVILLE-
DONOVAN, INC.**
INNOVATIVE INFRASTRUCTURE SOLUTIONS
7155 MURRELL ROAD, SUITE 101
MELBOURNE, FLORIDA 32940 (321)254-3883
SURVEYING BUSINESS: LB-0000340

**LEGAL DESCRIPTION
FOR
CONSERVATION EASEMENT**

PROJECT:	72409.01
DRAWING DATE:	04/13/11
SECTION:	11
TOWNSHIP:	19 S
RANGE:	31 E

(CONTINUED FROM SHEET 3)

THENCE, BEARING NORTH 38° 01' 43" WEST, A DISTANCE OF 13.04 FEET TO A POINT;
 THENCE, BEARING SOUTH 51° 58' 17" WEST, A DISTANCE OF 28.29 FEET TO A POINT;
 THENCE, BEARING SOUTH 38° 01' 43" EAST, A DISTANCE OF 10.88 FEET TO A POINT;
 THENCE, BEARING SOUTH 04° 38' 33" EAST, A DISTANCE OF 35.84 FEET TO A POINT;
 THENCE, BEARING SOUTH 01° 59' 46" EAST, A DISTANCE OF 41.80 FEET TO A POINT;
 THENCE, BEARING SOUTH 15° 45' 47" WEST, A DISTANCE OF 22.34 FEET TO A POINT;
 THENCE, BEARING SOUTH 29° 10' 49" WEST, A DISTANCE OF 33.23 FEET TO A POINT;
 THENCE, BEARING SOUTH 17° 58' 04" WEST, A DISTANCE OF 48.81 FEET TO A POINT;
 THENCE, BEARING SOUTH 34° 52' 30" WEST, A DISTANCE OF 48.51 FEET TO A POINT;
 THENCE, BEARING SOUTH 58° 06' 07" EAST, A DISTANCE OF 30.35 FEET TO A POINT;
 THENCE, BEARING NORTH 44° 44' 43" EAST, A DISTANCE OF 15.67 FEET TO A POINT;
 THENCE, BEARING NORTH 56° 11' 17" EAST, A DISTANCE OF 37.20 FEET TO A POINT;
 THENCE, BEARING NORTH 86° 20' 43" EAST, A DISTANCE OF 21.34 FEET TO A POINT ON THE
 WESTERLY LINE OF TRACT H OF SAID DELTONA LAKES UNIT SIXTY-THREE;
 THENCE, BEARING SOUTH 25° 11' 14" WEST, ALONG THE WESTERLY LINE OF SAID TRACT H, A DISTANCE
 OF 243.12 FEET TO A POINT;
 THENCE, BEARING SOUTH 00° 08' 29" WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 420.00 FEET
 TO THE NORTHWESTERLY CORNER OF BLOCK 1639 OF SAID DELTONA LAKES UNIT SIXTY-THREE;
 THENCE, BEARING SOUTH 32° 35' 31" WEST, ALONG THE WESTERLY LINE OF SAID BLOCK 1639, A
 DISTANCE OF 249.39 FEET TO A POINT;
 THENCE, BEARING SOUTH 05° 04' 47" WEST, ALONG THE WESTERLY LINE OF SAID BLOCK 1639, A
 DISTANCE OF 217.76 FEET TO A POINT;
 THENCE, LEAVING SAID WESTERLY LINE, BEARING SOUTH 79° 20' 15" WEST, A DISTANCE OF 107.69
 FEET TO A POINT;
 THENCE, BEARING NORTH 72° 12' 07" WEST, A DISTANCE OF 32.85 FEET TO A POINT;
 THENCE, BEARING SOUTH 74° 48' 29" WEST, A DISTANCE OF 99.66 FEET TO A POINT ON THE
 NORTHERLY LINE OF TRACT G OF SAID DELTONA LAKES UNIT SIXTY-THREE;
 THENCE, BEARING NORTH 76° 04' 56" WEST, ALONG THE NORTHERLY LINE OF SAID TRACT G, A
 DISTANCE OF 216.91 FEET TO THE WEST LINE OF THE EAST ONE-HALF OF THE NORTHWEST
 ONE-QUARTER OF AFORESAID SECTION 11;
 THENCE, BEARING NORTH 00° 14' 21" ALONG SAID WEST LINE OF THE EAST ONE-HALF OF THE
 NORTHWEST ONE-QUARTER OF SECTION 11, WEST, A DISTANCE OF 298.65 FEET TO A POINT;
 THENCE, LEAVING SAID WEST LINE, BEARING SOUTH 81° 24' 21" EAST, A DISTANCE OF 20.24 FEET TO
 A POINT;
 THENCE, BEARING NORTH 00° 14' 21" WEST, A DISTANCE OF 11.69 FEET TO A POINT;
 THENCE, BEARING NORTH 89° 25' 21" EAST, A DISTANCE OF 64.08 FEET TO A POINT;

(CONTINUED NEXT PAGE)

Item 10C

64

REVISIONS			
NO.	BY	DESCRIPTION	DATE

**KRAFT/BLUEFIELD
STORMWATER POND IMPROVEMENTS**

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BASKERVILLE-DONOVAN, INC.
 INNOVATIVE INFRASTRUCTURE SOLUTIONS
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 SURVEYING BUSINESS: LB-0000340

**LEGAL DESCRIPTION
 FOR
 CONSERVATION EASEMENT**

PROJECT:	72409.01
DRAWING DATE:	04/13/11
SECTION:	11
TOWNSHIP:	19 S
RANGE:	31 E

(CONTINUED FROM SHEET 4)

THENCE, BEARING NORTH 61° 39' 33" EAST, A DISTANCE OF 52.61 FEET TO A POINT;
 THENCE, BEARING NORTH 57° 57' 34" EAST, A DISTANCE OF 46.75 FEET TO A POINT;
 THENCE, BEARING NORTH 20° 25' 44" EAST, A DISTANCE OF 48.75 FEET TO A POINT;
 THENCE, BEARING NORTH 29° 32' 29" EAST, A DISTANCE OF 66.06 FEET TO A POINT;
 THENCE, BEARING NORTH 39° 17' 02" EAST, A DISTANCE OF 32.33 FEET TO A POINT;
 THENCE, BEARING NORTH 03° 49' 02" WEST, A DISTANCE OF 71.25 FEET TO A POINT;
 THENCE, BEARING NORTH 84° 40' 39" WEST, A DISTANCE OF 18.04 FEET TO A POINT;
 THENCE, BEARING SOUTH 85° 36' 14" WEST, A DISTANCE OF 27.23 FEET TO A POINT;
 THENCE, BEARING NORTH 87° 20' 40" WEST, A DISTANCE OF 23.63 FEET TO A POINT;
 THENCE, BEARING SOUTH 65° 58' 50" WEST, A DISTANCE OF 34.55 FEET TO A POINT;
 THENCE, BEARING NORTH 80° 58' 37" WEST, A DISTANCE OF 34.24 FEET TO A POINT;
 THENCE, BEARING NORTH 77° 38' 50" WEST, A DISTANCE OF 49.39 FEET TO A POINT;
 THENCE, BEARING SOUTH 65° 02' 33" WEST, A DISTANCE OF 33.73 FEET TO A POINT;
 THENCE, BEARING NORTH 06° 29' 02" WEST, A DISTANCE OF 30.75 FEET TO A POINT;
 THENCE, BEARING NORTH 00° 15' 59" WEST, A DISTANCE OF 39.97 FEET TO A POINT;
 THENCE, BEARING NORTH 06° 17' 38" EAST, A DISTANCE OF 51.75 FEET TO A POINT;
 THENCE, BEARING NORTH 03° 33' 30" EAST, A DISTANCE OF 35.60 FEET TO A POINT;
 THENCE, BEARING NORTH 16° 26' 11" EAST, A DISTANCE OF 23.72 FEET TO A POINT;
 THENCE, BEARING NORTH 53° 36' 30" EAST, A DISTANCE OF 51.21 FEET TO A POINT;
 THENCE, BEARING NORTH 54° 22' 23" EAST, A DISTANCE OF 27.25 FEET TO A POINT;
 THENCE, BEARING NORTH 00° 06' 42" WEST, A DISTANCE OF 47.90 FEET TO A POINT;
 THENCE, BEARING NORTH 22° 56' 29" EAST, A DISTANCE OF 43.06 FEET TO A POINT;
 THENCE, BEARING NORTH 11° 24' 47" EAST, A DISTANCE OF 50.41 FEET TO A POINT;
 THENCE, BEARING NORTH 26° 14' 11" EAST, A DISTANCE OF 35.92 FEET TO A POINT;
 THENCE, BEARING NORTH 31° 26' 26" EAST, A DISTANCE OF 26.83 FEET TO A POINT;
 THENCE, BEARING NORTH 34° 20' 51" EAST, A DISTANCE OF 36.83 FEET TO A POINT;
 THENCE, BEARING NORTH 12° 17' 19" EAST, A DISTANCE OF 35.81 FEET TO A POINT;
 THENCE, BEARING NORTH 16° 51' 13" EAST, A DISTANCE OF 10.55 FEET TO A POINT;
 THENCE, BEARING NORTH 79° 56' 52" EAST, A DISTANCE OF 33.07 FEET TO A POINT;
 THENCE, BEARING NORTH 05° 37' 42" EAST, A DISTANCE OF 20.10 FEET TO THE POINT OF BEGINNING.
 CONTAINING 648,121 SQUARE FEET OR 14.879ACRES MORE OR LESS AND SUBJECT TO ANY AND ALL
 EASEMENTS AND OR RESTRICTIONS AS CONTAINED WITHIN THE CHAIN OF TITLE.

Item 10C

65

REVISIONS			
NO.	BY	DESCRIPTION	DATE

**KRAFT/BLUEFIELD
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