



# City of Deltona

**REGULAR CITY COMMISSION MEETING**  
**MONDAY, JULY 15, 2013**  
**6:30 P.M.**

*Mayor*  
John Masiarczyk

*Vice Mayor*  
Zenaida Denizac  
*District 1*

*Commissioners:*

Webster Barnaby  
*District 2*

Heidi Herzberg  
*District 3*

Nancy Schleicher  
*District 4*

Fred Lowry  
*District 5*

Chris Nabicht  
*District 6*

*Acting City Manager*  
Dave Denny

**DELTONA COMMISSION CHAMBERS**  
**2345 PROVIDENCE BLVD.**  
**DELTONA, FLORIDA**

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**AGENDA**

- 1. CALL TO ORDER:**
- 2. ROLL CALL – CITY CLERK:**
- 3. INVOCATION AND PLEDGE TO THE FLAG:**
  - A. Invocation Presented by Commissioner Barnaby.**
- 4. APPROVAL OF MINUTES & AGENDA:**
  - A. Additions or Deletions to Agenda.**
  - B. Approval of Minutes - Regular City Commission Meeting of July 1, 2013.**
- 5. PRESENTATIONS/AWARDS/REPORT:**
  - A. Presentation – Team Volusia Economic Development Corporation - Vice Chair John Wannamaker.**

- B. Presentation of City Investments by Julie Hughes, Davidson Fixed Income Management.
- C. Presentation - Distinguished Budget Award for Fiscal Year 2012-2013.
- D. Presentation - Quarterly Reports of City Advisory Boards/Committees.

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

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

7. CONSENT AGENDA:

- \*A. Request for approval to piggyback Florida Sheriff's Association contract with Ring Power Corporation for one (1) Caterpillar 289CD Skid Steer Loader with Tracks - Stormwater Division.
- \*B. Request for approval to piggyback State of Florida contract with the John Deere Company for two (2) John Deere 997 Commercial Zero Turn Radius Mowers - Stormwater Division.

8. ORDINANCES AND PUBLIC HEARINGS:

- A. Resolusion 2013-25, 2013 Volusia County Floodplain Management Plan.
- B. Ordinance No. 11-2013, Provision for Non-Profit Organization Flea Markets.
- C. Ordinance No. 20-2012, Revising Section 14-2 and 14-3 regarding public nuisance animals and prohibited animals; Adding Article VII, "Responsible Pet Ownership and Licensing Standards", to Chapter 14, "Animals", of the City's Code of Ordinances, at first reading and to schedule second and final reading on August 5, 2013.
- D. Public Hearing - Ordinance No. 12-2013, Amending Subpart A, Chapter 38, "Environment", by adding new Article VII "Stormwater Discharge Pollutant Control" and new Article VIII "Florida-Friendly Fertilizer use on Urban Landscapes", at first reading and to schedule second and final reading.

9. OLD BUSINESS:

- A. Consideration of appointment of one (1) alternate member to the City's

**Charter Review Committee.**

**10. NEW BUSINESS:**

- A. Request for consideration from Pedro E. Velez Perez and Ana Glison Fragaso for a reduction of fine from \$6,350.00 assessed pursuant to Special Magistrate Case DEL-05-002.**

**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 Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.



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## AGENDA MEMO

**TO:** Mayor & City Commission **AGENDA DATE:** 7/15/2013  
**FROM:** William D. Denny, Acting City Manager **AGENDA ITEM:** 3 - A  
**SUBJECT:** Invocation Presented by Commissioner Barnaby.

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|   |   |
|---|---|
| <b>LOCATION:</b>                          | N/A   |
| <b>BACKGROUND:</b>                        | 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. |
| <b>ORIGINATING DEPARTMENT:</b>            | City Clerk's Office   |
| <b>SOURCE OF FUNDS:</b>                   | N/A   |
| <b>COST:</b>                              | N/A   |
| <b>REVIEWED BY:</b>                       | City Clerk  |
| <b>STAFF RECOMMENDATION PRESENTED BY:</b> | N/A - Invocation Only.  |
| <b>POTENTIAL MOTION:</b>                  | N/A - Invocation Only.  |
| <b>AGENDA ITEM APPROVED BY:</b>           | <hr/> William D. Denny, Acting City Manager   |



## AGENDA MEMO

**TO:** Mayor & City Commission **AGENDA DATE:** 7/15/2013  
**FROM:** William D. Denny, Acting City Manager **AGENDA ITEM:** 4 - A  
**SUBJECT:** Approval of Minutes - Regular City Commission Meeting of July 1, 2013.

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|   |   |
|---|---|
| <b>LOCATION:</b>                          | N/A   |
| <b>BACKGROUND:</b>                        | N/A   |
| <b>ORIGINATING DEPARTMENT:</b>            | City Clerk's Office   |
| <b>SOURCE OF FUNDS:</b>                   | N/A   |
| <b>COST:</b>                              | N/A   |
| <b>REVIEWED BY:</b>                       | City Clerk  |
| <b>STAFF RECOMMENDATION PRESENTED BY:</b> | City Clerk Joyce Raftery - To approve the minutes of the Regular City Commission Meeting of July 1, 2013. |
| <b>POTENTIAL MOTION:</b>                  | "I move to approve the minutes of the Regular City Commission Meeting of July 1, 2013."                   |
| <b>AGENDA ITEM APPROVED BY:</b>           | <hr/> William D. Denny, Acting City Manager   |
| <b>ATTACHMENTS:</b>                       | <ul style="list-style-type: none"><li>• Minutes of July 1, 2013</li></ul>                                 |

**CITY OF DELTONA, FLORIDA  
REGULAR CITY COMMISSION MEETING  
MONDAY, JULY 1, 2013**

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

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

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

7  
8 **2. ROLL CALL:**

|    |                     |                  |         |
|----|---------------------|------------------|---------|
| 9  | 10 Mayor            | John Masiarczyk  | Present |
| 11 | Vice Mayor          | 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 Raftery    | Present |

20  
21 Also present: Planning and Development Services Director Chris Bowley; Public works/Deltona  
22 Water Director Glenn Whitcomb; Parks and Recreation Director Steve Moore; Building and  
23 Enforcement Services Director/Acting Deputy City Manager Dale Baker; Deputy Chief Robert  
24 Rogers; and VCSO Lieutenant Eric Westfall.

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

27  
28 Invocation Presented by Vice Mayor Denizac - Pastor Miriam Rodriguez, Centro de la Familia  
29 Cristiana Church of Deltona.

30  
31 The National Anthem was sung by Adrian Tristan from Deltona.

32  
33 **4. APPROVAL OF MINUTES & AGENDA:**

34  
35 **A. Minutes:**

36  
37 **1. Approval of Minutes - Regular City Commission Meeting of June 17, 2013.**

38  
39 **Motion by Commissioner Nabicht seconded by Commissioner Schleicher to approve the minutes**  
40 **of the Regular City Commission Meeting of June 17, 2013.**

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

45  
46 **B. Additions or Deletions to Agenda:**

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

2  
 3 **A. Proclamation – Parks and Recreation Month – July, 2013.**

4  
 5 Mayor Masiarczyk and the Commission presented the 2013 Parks and Recreation Month Proclamation  
 6 to Parks and Recreation Director Steve Moore.

7  
 8 **6. PUBLIC FORUM – Citizen comments for items not on the agenda.**

9  
 10 a) Mr. Mike Lorenz, 889 Radcliff Street, stated that his water bill last month was \$185 dollars, he  
 11 has an irrigation system, he uses approximately 3,500 gallons of water for household needs and about  
 12 6,000 gallons for his irrigation system, and he cannot be the only resident on sewer that feels the new  
 13 sewer rates are too high.

14  
 15 b) Mayor Masiarczyk replied that he would have staff review Mr. Lorenz' bills and water use  
 16 averages to see if there is anything out of the ordinary with his water bill.

17  
 18 c) Ms. Barbara Willey, Spring Fest Committee President, 1407 Section Line Trail, stated that the  
 19 Spring Fest Committee has submitted, for the record, a Special Event follow-up report from their most  
 20 recent event. She also stated that the Spring Fest Committee donated \$1,000 to Deltona Against  
 21 Bullying, granted a \$1,000 scholarship to a graduating Deltona High School student, and that the Spring  
 22 Fest event was conducted at no cost to the City. The Spring Fest Committee is planning another event  
 23 in the Fall, with a new name, to raise education program money and would like the Commission to  
 24 consider changing the Ordinance against flea markets to allow non-profits to hold flea markets more  
 25 than once a year.

26  
 27 d) Commissioner Nabicht replied that the Ordinance on flea markets needed to be reviewed and  
 28 updated to allow non-profit organizations to hold flea markets two (2) times each year.

29  
 30 **The Commission concurred that staff would revise the ordinance to allow non-profits to hold the**  
 31 **same number of flea markets per year that are allowed for residents and to get the revised**  
 32 **ordinance on a Regular Commission Meeting agenda before September's planned Spring Fest**  
 33 **event.**

34  
 35 e) Ms. Phyllis Churchill, 1290 Babcock Avenue, stated that she is in support of Deltona Spring  
 36 Fest, that the recent Spring Fest event was very well attended, that residents appreciated and enjoyed the  
 37 day and that she hopes the Commission will follow through with updating the Ordinance.

38  
 39 **7. CONSENT AGENDA:**

40  
 41 Mayor Masiarczyk read the title of each item on the Consent Agenda.

42  
 43 **Motion by Commissioner Nabicht, seconded by Commissioner Herzberg to approve Consent**  
 44 **Agenda Items as presented.**

45  
 46 **Motion carried unanimously with members voting as follows: Commissioner Barnaby, For;**  
 47 **Commissioner Herzberg, For; Commissioner Nabicht, For; Commissioner Schleicher, For;**  
 48 **Commissioner Lowry, For; Vice Mayor Denizac, For; and Mayor Masiarczyk, For.**

1 **\*A. Request for approval of revisions to Commission Policy No. CC99-003, Elected Official**  
 2 **Travel and Expenses.**

3  
 4 **Approved by Consent Agenda – to adopt the revised Commission Policy No. CC99-003 as**  
 5 **presented.**

6  
 7 **\*B. Request for approval to award Bid # PW 13-11, Mapleshade Street Stormwater**  
 8 **Improvements.**

9  
 10 **Approved by Consent Agenda – to award Bid #PW-13-11 for the Mapleshade Street Stormwater**  
 11 **Improvements Project to Hazen Construction, LLC at a total cost of \$144,144.00.**

12  
 13 **\*C. Request to certify engineering firms as qualified to perform Civil Engineering Services as**  
 14 **needed under Continuing Contract.**

15  
 16 **Approved by Consent Agenda - to certify, Quentin L. Hampton, Tetra Tech, DRMP, and Bowyer**  
 17 **Singleton as qualified to perform Civil Engineering Services for the City and to put them on a**  
 18 **Continuing Services list to render these services as needed within the guidelines of F.S. 287.055.**

19  
 20 **\*D. Request to certify engineering firms as qualified to perform Geotechnical Engineering**  
 21 **Services as needed under continuing contract.**

22  
 23 **Approved by Consent Agenda - to certify, Universal Engineering, Bechtol Engineering, Ardaman**  
 24 **and Associates, and Terracon Consultants as qualified to perform Geotechnical Engineering**  
 25 **Services for the City and to put them on a Continuing Services list to render these services as**  
 26 **needed within the guidelines of F.S. 287.055.**

27  
 28 **\*E. Request for approval to purchase a family of Human Patient Simulators (HPS).**

29  
 30 **Approved by Consent Agenda - to approve the purchase of the Human Patient Simulator**  
 31 **equipment from Laerdal Medical Corporation for \$59,000.00.**

32  
 33 **\*F. Request for approval to purchase 60 KW Generator from RingPower for Station 64.**

34  
 35 **Approved by Consent Agenda - to approve the purchase of a Caterpillar 60 KW generator**  
 36 **through RingPower, Caterpillar's authorized dealer, at a cost of \$30,930.50 based on the NJPA**  
 37 **contract pricing.**

38  
 39 **8. ORDINANCES AND PUBLIC HEARINGS:** None.

40  
 41 **9. OLD BUSINESS:** None.

42  
 43 **10. NEW BUSINESS:**

44  
 45 **A. Request for approval for waiver of all fees - SE 12-003-Latin Festival 2013.**

46  
 47 **Motion by Commissioner Barnaby, seconded by Commissioner Lowry to waive all fees**  
 48 **associated with the annual Latin Festival.**

1 Commissioner Schleicher stated that she has a problem with waiving approximately \$10,000 dollars  
2 in fees for an event that only made \$1,500 dollars last year. She also stated that the Latin Festival is  
3 a County event and she asked what the County is going to do to support the event. Representative  
4 David Santiago replied that the event is not about making money; it is about celebrating the arts and  
5 the culture of a great percentage of a Deltona community. Due to the current economic times  
6 Volusia County Hispanic Association has had a hard time getting sponsors for the event, an event  
7 which is attended by people inside and outside of Volusia County, but that an overwhelming  
8 majority in attendance is Deltona residents. The annual event which has been held for 18 years is for  
9 everyone at no charge and raises money for the back to school program.

10  
11 Commissioner Schleicher discussed the cost to Deltona taxpayers and she asked what the County's  
12 involvement would be with the Latin Festival. Representative Santiago replied that there was a cost  
13 to support the event, but that there was not an entry fee to attend the Latin Festival, and that the  
14 County made it clear that they would not participate.

15  
16 Commissioner Nabicht stated that the Commission discussed waiving fees at a recent workshop, the  
17 original intent of the waiver of fees being to assist new non-profit organizations get established and  
18 self-supporting as it pertains to holding events, and the possibility of the Parks and Recreation  
19 Director forecasting to support special events in his budget. Commissioner Nabicht stated that he  
20 would not support the request.

21  
22 Commissioner Lowry stated that representatives from the Spring Fest Committee had just stated that  
23 there was not a lot going on in Deltona, the Latin Festival is one of the few things that have been  
24 extremely successful, and that he will support the request from the Volusia County Hispanic  
25 Association for the waiver of all fees. He also stated that the event has been almost a model for  
26 some of the other organizations to pattern after, the event is one of Deltona's premier events, and  
27 that not approving the request would be counterproductive with the Commission's attempts to try  
28 and pull residents together.

29  
30 Vice Mayor Denizac stated that one of the things that the current Commission and prior  
31 Commissions have agreed upon is that the City promotes and invites cultural diversity, sponsors  
32 Deltona non-profit organizations, and that it is very difficult getting sponsors in these hard economic  
33 times. She also discussed stopping entitlements evenly across the board, adding the waiving of  
34 special event fees as a Workshop topic, the Commission should discuss the issue during the  
35 upcoming budget process, and that supporting special events sometimes can become very political.

36  
37 Commissioner Herzberg stated that she is for every event that encompasses the diversity of Deltona,  
38 that the City has little sense of community because most residents live in Deltona but do not work in  
39 Deltona, and that events like the Latin Festival help bring residents together. She stated that the  
40 City's waiver of fees "in-kind" policy is for a maximum of \$2,500, that the City needs to follow the  
41 policy or consider rewriting the policy, that the actual out of pocket expense to support the event is  
42 for the cost for the Volusia County Sheriff's Office (VCSO) support (approximately \$6,000), that  
43 she concurs with Commissioner Nabicht's idea that the Parks and Recreation Department should add  
44 the cost of supporting reoccurring annual events to the budget, that the Commission needs to put  
45 aside political feelings and decide what the City will do each year for the residents, and to consider  
46 what is better for the greater good. She stated that she will support the request and that the  
47 Commission needs to make a policy that everyone can live with.

48

1 Commissioner Barnaby asked for unanimous support of the request to waive the fees for the Latin  
2 Festival just as the Commission recently approved an emergency ordinance for the annual Spring  
3 Fest event. He stated that supporting the event is an investment for Deltona, that the Commission  
4 needs to show that Deltona supports diversity, the need to demonstrate that the City is family  
5 friendly, promoting Deltona to the public, bringing festivities, fun and happiness to the community,  
6 the Commission discussing making special event support policy changes at a future Workshop, and  
7 that he supports the Commission approving the waiver of fees for the Latin Festival.

8  
9 Commissioner Schleicher thanked the Spring Fest Committee for this year's successful event and  
10 stated that the Spring Fest Committee used to come to the Commission to support their annual event  
11 but that this past year the Spring Fest Committee requested no financial support to hold their annual  
12 event, that resident's always complain that the City continues to give money to support events, and  
13 that the Commission needs to stick to the agreement made in the past.

14  
15 Commissioner Nabicht asked the Acting City Manager where the funds to support the Latin Festival  
16 would come from. Mr. Denny replied that the only portion that actually required a check to be  
17 written was for the VCSO support and that the payment would come from the City's Fund Balance.

18  
19 Commissioner Nabicht stated that the Latin Festival is a community event that he is willing to  
20 provide some funding for, that he is not in favor of the City spending \$10,000 dollars to fund the  
21 entire event, and that the support of annual events needs to be budgeted for.

22  
23 Mayor Masiarczyk stated that the Commission previously agreed to support events with a maximum  
24 dollar amount of \$2,500 dollars, that the request for the VCSO support is double that amount, that  
25 the Parks and Recreation Director cannot budget a private organizations event, the possibility of  
26 holding the event at an area where admission can be charged, the Volusia County Hispanic  
27 Association being able to financially support the Latin Festival, the possibility of making the Latin  
28 Festival a City event, that the Commission should move forward tonight with supporting the request  
29 but that a strong message needs to be sent by the Commission that next year a location would need  
30 to be found where admission could be charged. He stated that he will support the request this time,  
31 but that he will not support the request again unless the organizers bring the event in line with what  
32 it raises or it becomes a budgeted City event where they can help sponsor it or they pay their own  
33 way next year up to \$2,500.

34  
35 Commissioner Herzberg asked if it was feasible to put future special event funding somewhere in the  
36 budget for future public safety costs. Mr. Denny replied yes, that the funding could be added to a  
37 budget line item if that is the desire of the Commission.

38  
39 Commissioner Nabicht stated that the Commission policy adopted March 21, 2011 states that special  
40 event requests that exceed 901 people have a maximum fee waiver amount of \$2,500 dollars and that  
41 any dollar amount above that must be approved by line item in the Parks and Recreation  
42 Department's budget. Commissioner Nabicht stated that the correct way to support events is stated  
43 in the policy, that the Latin Festival was not included in the budget, and that special events need to  
44 be identified in the Parks and Recreation Department's budget. Commissioner Nabicht stated that he  
45 does not support waiving all fees for the event. Representative Santiago replied that as he recalls the  
46 last time the Commission discussed funding special events the direction from the Commission was  
47 for staff to make sure the Latin Festival and Spring Fest were both budgeted for, and he asked the  
48 Commission to support the request for waiver of fees.

1 Vice Mayor Denizac asked how much was budgeted for the current year to support special events  
 2 under the Sheriff's office budget. Mr. Denny replied that he did not have the budget documents with  
 3 him, that the City does have some funding set aside for special events, but that he does not recall the  
 4 exact dollar amount. Mr. Denny stated that he does know that there is not a specific mention of  
 5 supporting the Latin Festival or Spring Fest events in the City budget nor the Sheriff's budget but  
 6 that there is money allocated in the budget for support of special events.

7  
 8 Vice Mayor Denizac discussed the VCSO cost for supporting the event as being \$5,900 dollars and  
 9 that the City did budget for support of special events.

10  
 11 Commissioner Barnaby asked Mr. Denny if in the future it were possible to charge individuals a one  
 12 (1) dollar entry fee to defray the City's support cost. Mr. Denny replied yes, if the City could find a  
 13 way to separate or fence off a portion of Dewey O. Boster Sports Complex so the City is only  
 14 charging people who want to attend the event. He stated that Dewey O. Boster Sports Complex was  
 15 built with ECHO funding and the City cannot charge people who just come to enjoy the park.

16  
 17 **Motion carried with members voting as follows:**

|    |                                |                |
|----|--------------------------------|----------------|
| 18 |                                |                |
| 19 | <b>Commissioner Barnaby</b>    | <b>For</b>     |
| 20 | <b>Commissioner Herzberg</b>   | <b>For</b>     |
| 21 | <b>Commissioner Lowry</b>      | <b>For</b>     |
| 22 | <b>Commissioner Nabicht</b>    | <b>Against</b> |
| 23 | <b>Commissioner Schleicher</b> | <b>Against</b> |
| 24 | <b>Vice Mayor Denizac</b>      | <b>For</b>     |
| 25 | <b>Mayor Masiarczyk</b>        | <b>For</b>     |
| 26 |                                |                |

27 Mayor Masiarczyk reminded the City Manager to have staff meet with the Volusia County Hispanic  
 28 Association to work out the details for support of next year's Latin Festival.

29  
 30 **B. Resolution No. 2013-24, City of Deltona Local Housing Assistance Plan (LHAP) for**  
 31 **2013-2016.**

32  
 33 Planning and Development Services Director Chris Bowley stated that staff worked with the State of  
 34 Florida on formatting and wording of Resolution No. 2013-24 and that he feels it is ready to be  
 35 adopted.

36  
 37 **Motion by Commissioner Barnaby, seconded by Commissioner Schleicher to approve**  
 38 **Resolution No. 2013-24 to adopt the City of Deltona's Local Housing Assistance Plan (LHAP).**

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

43  
 44 **C. Request for approval for a Fence Variance Application for 1686 Hanover Avenue.**

45  
 46 Assistant Planning and Development Services Director Ron Paradise provided a brief presentation  
 47 on events leading up to, and reasons for the request to approve the variance application. He  
 48 discussed the installation of a 6 foot high fence, that the lot is a corner lot with an angled dwelling,

1 and that the owners want to construct the fence along a portion of the lot to provide privacy that  
 2 maximizes the use of the back yard. He explained the usual circumstances and reasons that  
 3 variances are submitted, and he stated that the fence is needed to provide a safe area for a special  
 4 needs child.

5  
 6 The Commission and staff discussed the uniqueness of construction of the dwelling, the fact that the  
 7 fence would not obstruct anyone's view or line of sight, and the fact that there are enough Deltona  
 8 codes to make sure the fence is well maintained.

9  
 10 **Motion by Commissioner Nabicht, seconded by Commissioner Barnaby to approve variance**  
 11 **application No. VR13-002 to allow the existing fence along the Monticello Street lot line to**  
 12 **remain, due to the dimensional constraints associated with the lot and building, coupled with**  
 13 **the special circumstances of having a disabled child in proximity to potential private**  
 14 **nuisances.**

15  
 16 Mrs. Chasity Hanners, 1686 Hanover Avenue, stated that she appreciated the Commission's and  
 17 staff's time and efforts involved with applying for the fence variance and for all that the City does to  
 18 review resident's requests.

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

23  
 24 **11. CITY COMMISSION COMMENTS:**

25  
 26 a) Commissioner Barnaby wished Deltona residents, staff and Commissioners a Happy Fourth of  
 27 July and encouraged everyone to attend Deltona's July 4<sup>th</sup> Fireworks Extravaganza at Dewey O. Boster  
 28 Sports Complex.

29  
 30 b) Commissioner Herzberg echoed Commissioner Barnaby's wishes to everyone for a Happy  
 31 Fourth of July and to come out and enjoy the event.

32  
 33 c) Commissioner Nabicht also echoed Commissioner Barnaby's Fourth of July sentiments and  
 34 stressed to everyone that any personal fireworks that fly or explode are illegal in Deltona and anyone  
 35 causing any damages or fires due to those types of fireworks can be held criminally liable. He reminded  
 36 everyone to be safe while grilling, to keep an eye on children, especially while they are swimming, and  
 37 to enjoy the holidays but to be safe.

38  
 39 d) Commissioner Schleicher echoed a Happy Fourth of July to everyone and she asked everybody  
 40 to be careful and considerate of their pets when it comes to the use of fireworks. She stated that she  
 41 participated in the VCSO ride-along and while returning to the Sheriff's Station the deputy came across  
 42 a Waste Pro truck whose driver's door fell off in the road. She encouraged the Acting City Manager to  
 43 discuss the possibility of new trucks with Waste Pro.

44  
 45 e) Commissioner Lowry echoed the Fourth of July sentiments and stated that his heart goes out to  
 46 the firefighters out in the West and that his prayers are with their families. He stated that there were two  
 47 (2) great events in Deltona this past weekend. One event was a food drive that Representative Santiago  
 48 coordinated with Farm Share, the Deltona Baptist Church, and the Deltona Future Farmers of America  
 49 (FFA) collected a semi-tractor trailer full of food donations to distribute food for the needy, the event

1 had close to 1,000 cars come by. The second was the Faith Rally which got rained on and caused the  
 2 event to switch location but was still a successful event at their default site of Trinity Christian  
 3 Academy. The event supported the back to school backpack program, and that the churches in Deltona  
 4 are excited to be able to give back to the community.

5  
 6 f) Vice Mayor Denizac thanked Captain Brannon for organizing and coordinating the Volusia  
 7 County Sheriff's Office Ride-Along program. She stated that she was made aware of a vacant house in  
 8 Deltona that was wired up to be a "grow" house, some of the vacant homes in Deltona are being used  
 9 for illegal use, that there are literally piles of trash in Deltona, and she requested Mr. Denny to schedule  
 10 a workshop as soon as possible to discuss beautifying Deltona. She discussed the Deltona Budget  
 11 Forum which she felt turned out to be more of a "visioning session" and that she felt the turnout was  
 12 very low. She stated that she was disappointed with the Votran meeting, even though the City sent  
 13 R.S.V.P.s there were not enough seats made available to for Deltona Elected Officials to be at the table.  
 14 She stated that she attended the "Be Healthy" Community EXPO and she thanked Mr. Moore for  
 15 putting on a great community oriented event. She thanked Representative Santiago and Commissioner  
 16 Lowry for supporting the food drive and she stated that the event overwhelmed her. She also thanked  
 17 Commissioner Lowry for coordinating the annual Faith Rally, she stated that she feels God is still  
 18 shining his face on Deltona, and wished everyone a Happy Fourth of July.

19  
 20 g) Mayor Masiarczyk stated that the Volusia County Sheriff's Office ride-along was a fantastic  
 21 event and excellent opportunity to observe the professional manner in which deputies react to real world  
 22 situations and that the annual Faith Rally was a great event and that the indoor venue allowed people to  
 23 attend that would not normally be able to because of the heat. He stated that Deltona has a population  
 24 of around 20,000 children and that the 15 and under team from the Powerball Volleyball Academy  
 25 located in Lake Helen, many of whom are Deltona and West Volusia residents, won the 15 and under  
 26 (15U) National Volleyball Championship and have departed for Texas to compete in the 2013 United  
 27 States of America Volleyball (USAV) Girls' Junior National Championships.

28  
 29 **12. CITY ATTORNEY COMMENTS:**

30  
 31 City Attorney Becky Vose wished everyone a Happy Fourth of July.

32  
 33 **13. ACTING CITY MANAGER COMMENTS:**

34  
 35 Acting City Manager Dave Denny reminded everyone of the Independence Day Waste Pro solid waste  
 36 pick-up schedule. He also stated that the first two (2) days of the free Halifax Humane Society and  
 37 Deltona spay and neutering program are scheduled for July 18, and July 25, 2013, that the truck will  
 38 arrive at City Hall at 7:00 a.m. to pick up animals scheduled for spay and neutering, and that  
 39 appointments can be made with the Halifax Humane Society. Mr. Denny also stated that at 8:30 a.m.  
 40 on Monday July 8, 2013 staff will present the first draft of the FY2013-2014 budget to the Commission  
 41 and that budget books will be available for Commission review on Wednesday, July 3, 2013.

42  
 43 **14. ADJOURNMENT:**

44  
 45 There being no further business, the meeting adjourned at 7: 50 p.m.

City of Deltona, Florida  
Regular City Commission Meeting  
July 1, 2013  
Page 9 of 9

1  
2  
3  
4  
5  
6  
7

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**John Masiarczyk Sr., Mayor**

**ATTEST:**

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**Mitch Honaker, Deputy City Clerk**



## AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 7/15/2013  
**FROM:** William D. Denny, Acting City Manager **AGENDA ITEM:** 5 - A  
**SUBJECT:** Presentation - Team Volusia Economic Development Corporation - Vice Chair  
John Wannamaker.

---

|   |   |
|---|---|
| <b>LOCATION:</b>                          | N/A   |
| <b>BACKGROUND:</b>                        | Keith Norden of Team Volusia Economic Development Corporation will provide a brief update from Team Volusia's attendance at the ICSC (International Conference of Shopping Centers) conference. |
| <b>ORIGINATING DEPARTMENT:</b>            | City Clerk's Office   |
| <b>SOURCE OF FUNDS:</b>                   | N/A   |
| <b>COST:</b>                              | N/A   |
| <b>REVIEWED BY:</b>                       | Acting City Manager   |
| <b>STAFF RECOMMENDATION PRESENTED BY:</b> | N/A - Presentation Only.  |
| <b>POTENTIAL MOTION:</b>                  | N/A - Presentation Only.  |
| <b>AGENDA ITEM APPROVED BY:</b>           | <hr/> William D. Denny, Acting City Manager   |
| <b>ATTACHMENTS:</b>                       | <ul style="list-style-type: none"><li>• Presentation - TVED Third Quarter Update</li></ul>  |



## Team Volusia Economic Development Corporation

Third Quarter 2013

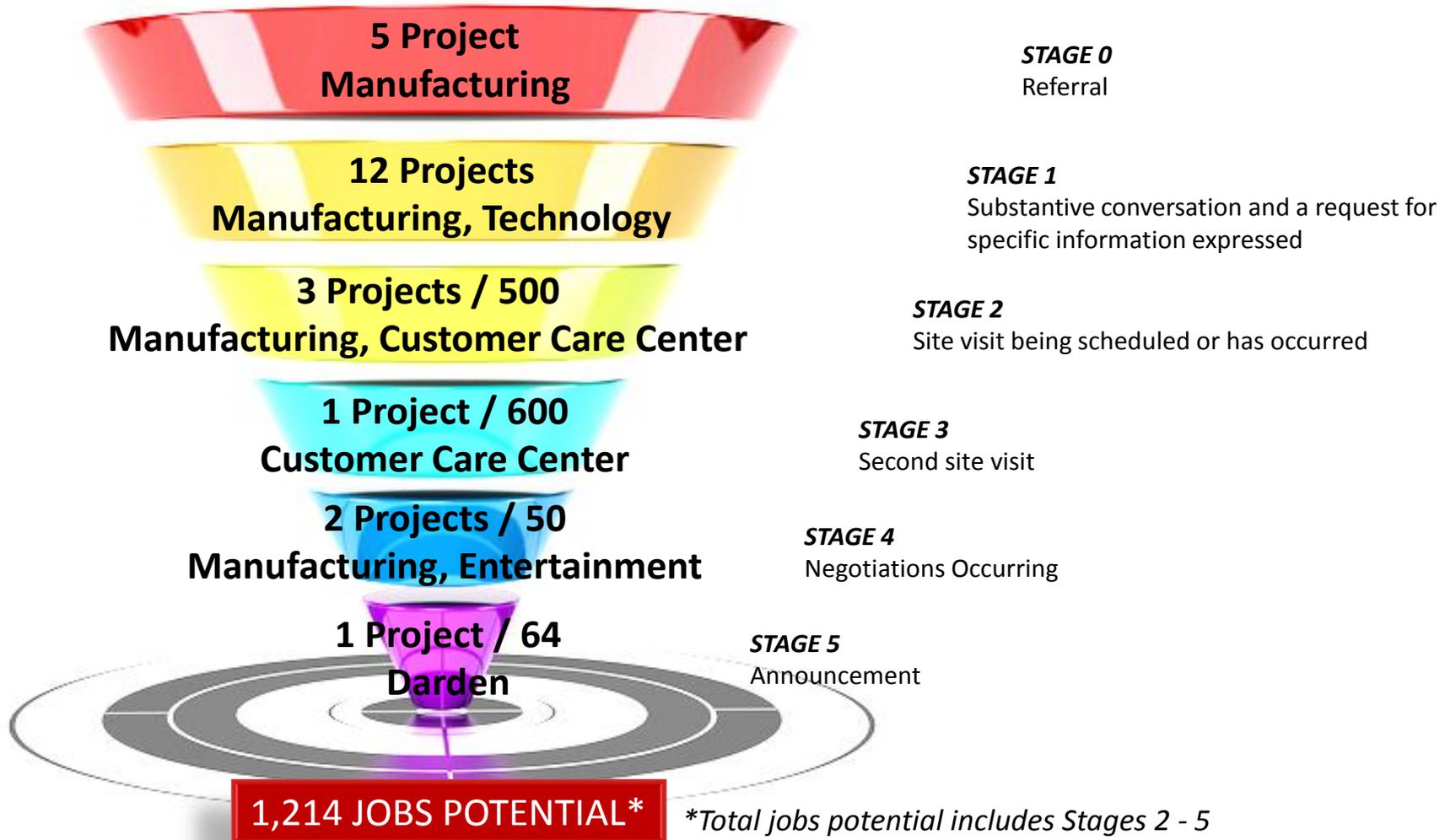
|                           | CY 2012          | CY 2013            | CY 2014           | 3-Year<br>Cumulative<br>Total |
|---------------------------|------------------|--------------------|-------------------|-------------------------------|
| <b>Jobs</b>               | 55 - 85          | 225 - 375          | 225 - 375         | 505 - 835                     |
| <b>Capital Investment</b> | \$1.3M - \$3.8 M | \$5.6 M - \$16.8 M | \$5.6M - \$16.8 M | \$12.5 M - \$37.5 M           |
| <b>Payroll</b>            | \$2 M - \$3.08 M | \$8 M - \$13.5 M   | \$8 M - \$13.5 M  | \$18 M - \$30 M               |

|                           | 2012        | 2013        |
|---------------------------|-------------|-------------|
| <b>Jobs Announced</b>     | 44          | 64          |
| <b>Capital Investment</b> | \$1,150,000 | \$2,915,000 |
| <b>Payroll</b>            | \$1,408,000 | \$1,600,000 |



*Number of projected jobs, capital investment, payroll over 3-years approximated by the company.*

# Project Pipeline



## JANUARY

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**NEW YORK**, *German American Chamber Annual Meeting*  
**CHICAGO**, *ProMat & Automate Tradeshow*

## FEBRUARY

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**NEW ORLEANS**, *Site Selectors Guild 2013*  
**MIAMI**, *Consuls General – France and Japan*

## MARCH

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**ORLANDO**, *Jones Lang LaSalle Academy*  
**ORLANDO**, *PLASTECH South;*  
**DAYTONA BEACH**, *PIA Symposium*  
**CHARLESTON**, *Industrial Asset Management Council*  
**PROJECT RINGTONE**, *Headquarters Visit*

## APRIL

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**NEW SMYRNA BEACH**, *Balloon & Sky Fest*  
**WASHINGTON DC**, *Site Selector Mission*  
**LAKELAND**, *Sun n' Fun Fly-In*  
**ATLANTA**, *MRO Americas*  
**GREENVILLE AND CHARLOTTE**, *Site Selector Missions*

## MAY

---

**LAS VEGAS**, *International Council of Shopping Centers*  
**CHILE**, *Team Florida*

## JUNE

---

**MINNESOTA**, *The Consultants Forum*  
**PALM COAST**, *Roundtable in the South*  
**MONTREAL/TORONTO**, *Canadian Business to Business Mission*  
**PROJECT DIAL**, *Headquarters Visit*

## JULY

---

**DALLAS**, *Consultant Mission*

## AUGUST

---

**NEW YORK**, *Consultant Mission*

**KISSIMMEE**, *International Council of Shopping Centers Tradeshow*

## SEPTEMBER

---

**DAYTONA BEACH**, *LPGA Symetra Tour Daytona Invitational*  
**ATLANTA**, *Consultant Mission*

## OCTOBER

---

**CHICAGO**, *Consultants Forum*

## NOVEMBER

---

**BILOXI**, *SEUS Japan Association Annual Meeting*

**CHICAGO**, *FABTECH 2013 Tradeshow*

## DECEMBER

---

**DALLAS**, *Consultant Mission*  
**CHARLESTON**, *Consultant Mission*

# COLLABORATION

# TVEDC



CEO BUSINESS ALLIANCE



*The skill to heal. The spirit to care.*



DAYTONA STATE COLLEGE



STETSON UNIVERSITY



# COLLABORATION

# TVEDC



FORD PROPERTIES



COTTON ENTERPRISES, LLC



ICI HOMES

COBB COLE since 1925



TEAM VOLUSIA™  
ECONOMIC DEVELOPMENT CORPORATION



Batten Madewell CPA, LLC  
CERTIFIED PUBLIC ACCOUNTANTS



Nova Property Management



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BUSINESS SHINES  
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Keith A. Norden, CEcD

President and CEO

Team Volusia Economic Development Corporation

P. 386.265.6332

[knorden@teamvolusiaedc.com](mailto:knorden@teamvolusiaedc.com)

[www.teamvolusiaedc.com](http://www.teamvolusiaedc.com)



## AGENDA MEMO

**TO:** Mayor & City Commission **AGENDA DATE:** 7/15/2013  
**FROM:** William D. Denny, Acting City Manager **AGENDA ITEM:** 5 - B  
**SUBJECT:** Presentation of City Investments by Julie Hughes, Davidson Fixed Income Management.

---

|   |   |
|---|---|
| <b>LOCATION:</b>                          | N/A   |
| <b>BACKGROUND:</b>                        | Julie Hughes, one of the City's Investment Advisors from Davidson Fixed Income Management, will make a general informational presentation to the Commission of the City's investment portfolio as of May 31, 2013 as well as a general economic outlook. Ms. Hughes will be available to answer any questions regarding the City's investments that the Commission may have after her presentation. |
| <b>ORIGINATING DEPARTMENT:</b>            | Finance   |
| <b>SOURCE OF FUNDS:</b>                   | N/A   |
| <b>COST:</b>                              | N/A   |
| <b>REVIEWED BY:</b>                       | Finance Director, Acting City Manager   |
| <b>STAFF RECOMMENDATION PRESENTED BY:</b> | N/A - Presentation Only.  |
| <b>POTENTIAL MOTION:</b>                  | N/A - Presentation Only.  |
| <b>AGENDA ITEM APPROVED BY:</b>           | <hr/> William D. Denny, Acting City Manager   |
| <b>ATTACHMENTS:</b>                       | <ul style="list-style-type: none"><li>• Presentation by Julie Hughes</li><li>• May Investment Report</li></ul>  |

# City of Deltona Portfolio and Market Report

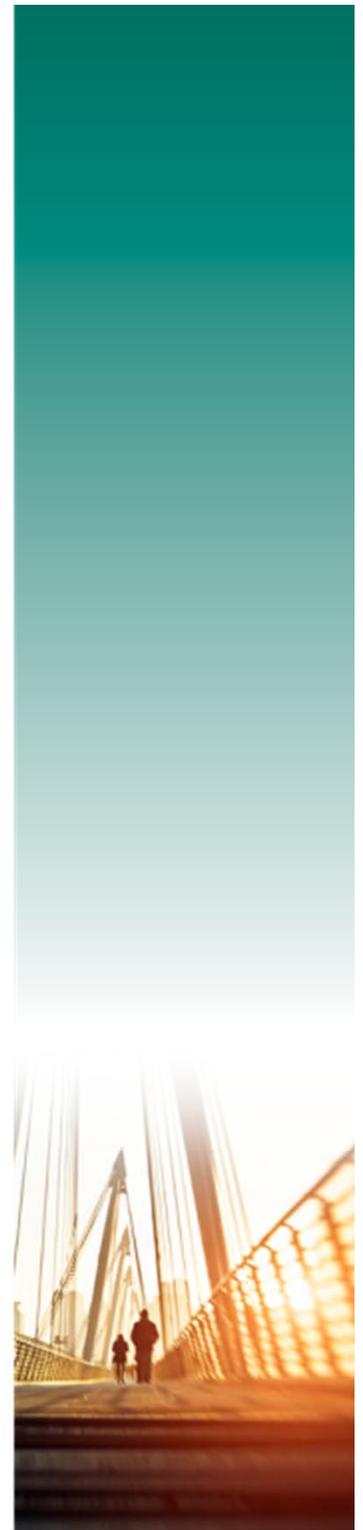
## City Commission Meeting July 15, 2013

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**Julie Hughes – Senior Vice President, Portfolio Manager**



**Davidson**  
**Fixed Income Management**  
REGISTERED INVESTMENT ADVISER



# Economic Landscape

26

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Davidson  
Fixed Income Management  
REGISTERED INVESTMENT ADVISER

# Fed Impact on the Market

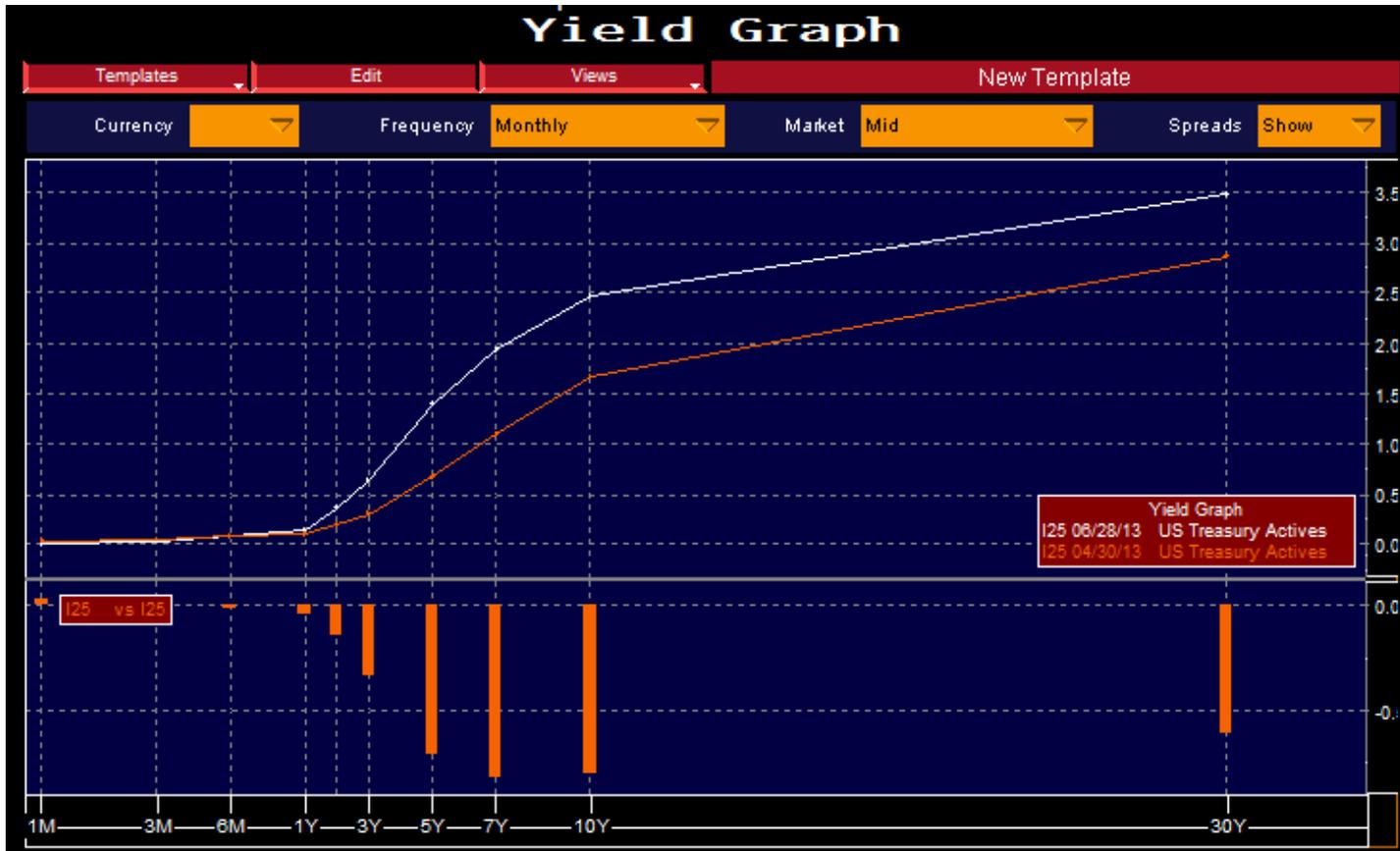
## *Volatility in May and June:*

- A large number of speeches by Fed members, the FOMC minutes, and Bernanke's testimony to Congress sent mixed messages and left market participants largely confused/concerned with regards to the future of Fed policy.
- U.S. Treasuries sold off in May and June for maturities one-year and longer, more than offsetting April's rally. Longer maturities were the hardest hit. Ten-year Treasury yields rose 0.82% to 2.49% from 1.67% over the two-month period as the yield curve steepened. The two-year Treasury yield rose from .21% to .33%, and the five-year Treasury yield climbed from .68% to 1.36% over the same period.

## *Our thoughts:*

- Market participants may have overreacted to Fed comments regarding tapering on asset purchases—they would need to see evidence of sustained strength in the underlying economy and labor markets—a condition that has remained out of reach thus far.
- With weak inflation fundamentals both globally and domestically, skittish economic data, and the threat of sequestration weighing down on a fragile economy, the Fed has plenty cover to remain on hold.

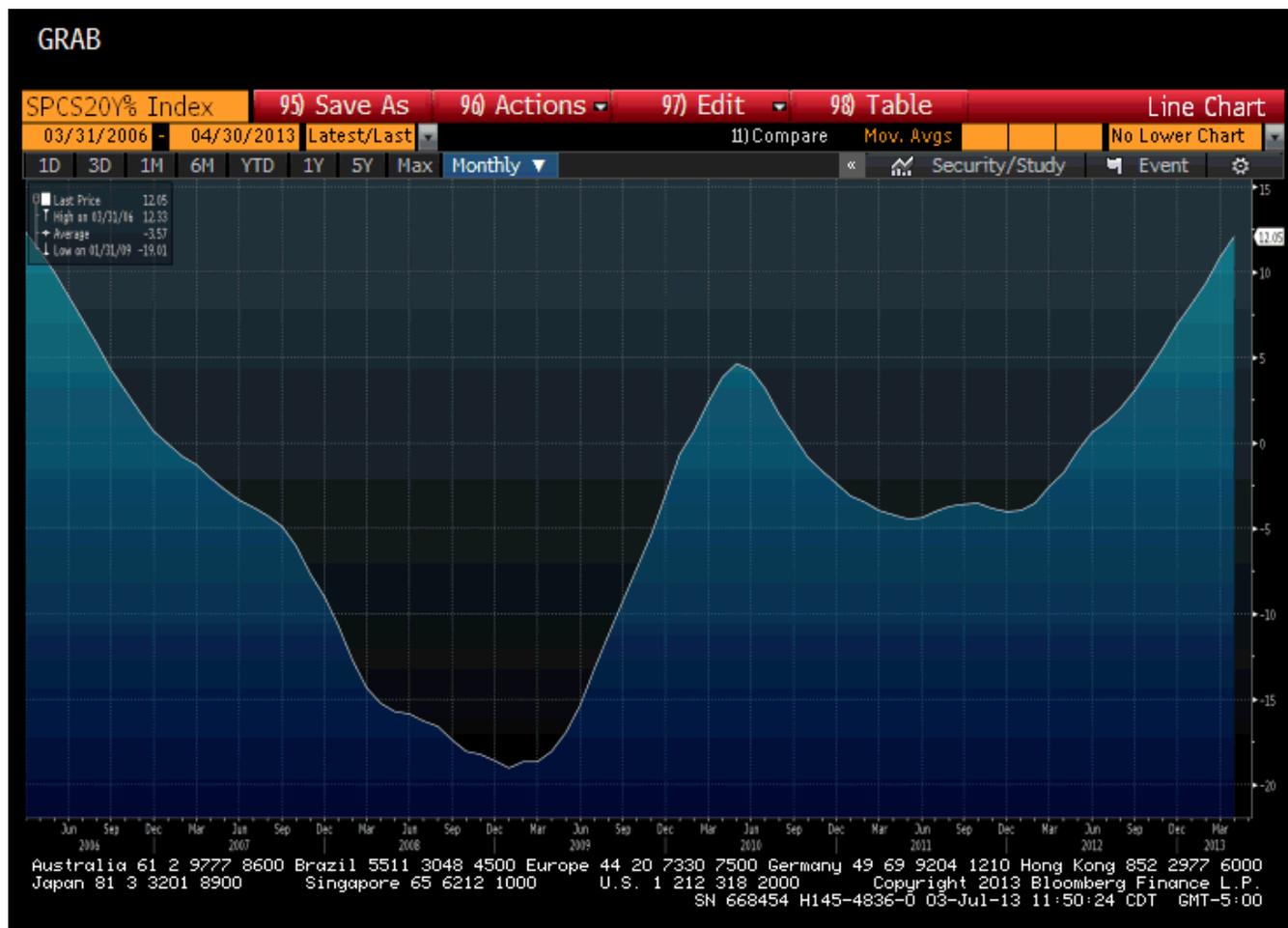
# Rates rose and the curve steepened over the last two months



28

Item 5B

# Will the Fed's tapering comments dampen the Housing recovery?



← +12.1%

29

Item 5B

**Monthly job growth has averaged 200,000 over the last 6 months, while the unemployment rate remains at 7.6%.**



30

Item 5B

# GDP Growth Remains Tepid



31

Item 5B

# Investment Portfolio



Davidson  
Fixed Income Management  
REGISTERED INVESTMENT ADVISER

# City of Deltona Account Review – May 2013



Davidson  
Fixed Income Management  
REGISTERED INVESTMENT ADVISER

- City of Deltona: Robert Clinger, Finance Manager
- Davidson Fixed Income Management: Julie Hughes, Account Manager; Glenn Scott, Account Manager
- Investment Objectives:
  - Safety of Principal: The primary objective is to protect against any loss of principal.
  - Liquidity: Investments will be managed to ensure that funds are available to meet obligations as necessary.
  - Yield: Investments will be managed to optimize returns within the appropriate safety and liquidity constraints.

## Performance Information (03/01/2013 – 05/31/2013)

|                                | <u>City of Deltona</u> <sup>2</sup> | <u>SBA</u> |
|--------------------------------|-------------------------------------|------------|
| BV Return (Yield) <sup>1</sup> | 0.54%                               | 0.22%      |

1. BV Rate of Return (Income) = Earned Interest +/- Realized Gain/Loss +/- Amortization.
2. Reflects Rate of Return with a deduction of a 9 basis point management & custodial fee.

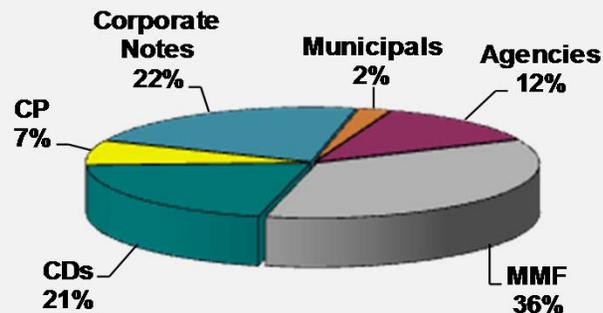
Past performance of the City of Deltona portfolio does not guarantee future results.

## Portfolio Characteristics 05/31/2013

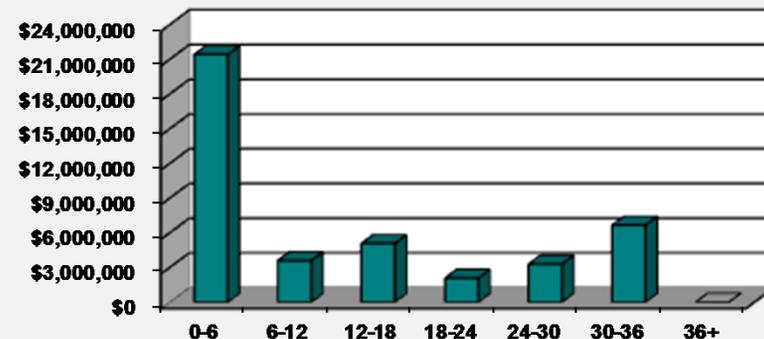
|  |           |                   |
|--|-----------|-------------------|
| Par Value:                                 | \$        | 26,890,000        |
| Market Value of Securities & CDs:          | \$        | 27,175,305        |
| <b>Cost Value of Securities &amp; CDs:</b> | <b>\$</b> | <b>27,301,734</b> |
| <b>MMF Balances:</b>                       | <b>\$</b> | <b>15,030,969</b> |
| <b>Wells Fargo Operating Balance:</b>      | <b>\$</b> | <b>8,338,004</b>  |
| <b>Total Account Balances:</b>             | <b>\$</b> | <b>50,670,707</b> |

|                             |             |
|-----------------------------|-------------|
| Weighted Avg YTM:           | 0.64%       |
| Weighted Avg Maturity/Call: | 11.8 Months |

## Portfolio Diversification



## Maturity Distribution



# City of Deltona – Portfolio Holdings

## City of Deltona Portfolio Management Portfolio Details - Investments May 31, 2013

Page 2

| CUSIP                                     | Investment # | Issuer                         | Purchase Date | Par Value            | Market Value         | Book Value           | Stated Rate  | YTM/C 360    | YTM/C 365    | Days to Maturity | Maturity Date |
|---|--------------|--------------------------------|---------------|----------------------|----------------------|----------------------|--------------|--------------|--------------|------------------|---------------|
| <b>Certificates of Deposit - Bank</b>     |              |                                |               |                      |                      |                      |              |              |              |                  |               |
| SYSDEL0325                                | DEL0325      | BB&T                           | 11/01/2011    | 2,000,000.00         | 2,000,000.00         | 2,000,000.00         | 0.820        | 0.809        | 0.820        | 517              | 10/31/2014    |
| SYSDEL0335                                | DEL0335      | TD BANK                        | 11/15/2011    | 1,000,000.00         | 1,000,000.00         | 1,000,000.00         | 0.840        | 0.828        | 0.840        | 532              | 11/15/2014    |
| SYSDEL0285                                | DEL0285      | BB&T                           | 03/02/2011    | 2,700,000.00         | 2,700,000.00         | 2,700,000.00         | 2.500        | 2.500        | 2.535        | 1,005            | 03/02/2016    |
| SYSDEL0285                                | DEL0285      | BB&T                           | 05/05/2011    | 1,000,000.00         | 1,000,000.00         | 1,000,000.00         | 1.800        | 1.800        | 1.825        | 1,089            | 05/05/2016    |
| <b>Subtotal and Average</b>               |              |                                |               | <b>6,700,000.00</b>  | <b>6,700,000.00</b>  | <b>6,700,000.00</b>  | <b>1.641</b> | <b>1.664</b> | <b>1.664</b> | <b>798</b>       |               |
| <b>Certificates of Deposit - PMA</b>      |              |                                |               |                      |                      |                      |              |              |              |                  |               |
| SYSDEL0370                                | DEL0370      | BANKUNITED - CD                | 04/11/2012    | 1,000,000.00         | 1,000,000.00         | 1,000,000.00         | 0.450        | 0.444        | 0.450        | 124              | 10/03/2013    |
| SYSDEL0375                                | DEL0375      | BANKUNITED - CD                | 04/11/2012    | 1,000,000.00         | 1,000,000.00         | 1,000,000.00         | 0.550        | 0.542        | 0.550        | 314              | 04/11/2014    |
| <b>Subtotal and Average</b>               |              |                                |               | <b>2,000,000.00</b>  | <b>2,000,000.00</b>  | <b>2,000,000.00</b>  | <b>0.493</b> | <b>0.500</b> | <b>0.500</b> | <b>219</b>       |               |
| <b>Managed Pool Accounts</b>              |              |                                |               |                      |                      |                      |              |              |              |                  |               |
| SYSDEL0007                                | DEL0007      | AIM - GOVT AND AGENCY PORTFOLI |               | 0.00                 | 0.00                 | 0.00                 | 0.020        | 0.020        | 0.020        | 1                |               |
| SYSDEL0008                                | DEL0008      | AIM - LIQUID ASSETS PORTFOLIO  |               | 0.00                 | 0.00                 | 0.00                 | 0.080        | 0.059        | 0.080        | 1                |               |
| SYSDEL0330                                | DEL0330      | FIDELITY PRIME MONEY MARKET FD | 12/14/2011    | 3,100,000.00         | 3,100,000.00         | 3,100,000.00         | 0.090        | 0.089        | 0.090        | 1                |               |
| SYSDEL0009                                | DEL0009      | FLSAFE (Transportation Fund)   |               | 4,352,318.47         | 4,352,318.47         | 4,352,318.47         | 0.100        | 0.099        | 0.100        | 1                |               |
| SYSDEL0011                                | DEL0011      | FLSAFE (Stomwater Fund)        |               | 2,756,380.03         | 2,756,380.03         | 2,756,380.03         | 0.100        | 0.099        | 0.100        | 1                |               |
| SYSDEL0008                                | DEL0008      | FLSAFE                         |               | 4,881,162.25         | 4,881,162.25         | 4,881,162.25         | 0.100        | 0.099        | 0.100        | 1                |               |
| SYSDEL0012                                | DEL0012      | FLORIDA SBA                    |               | 26,070.92            | 26,070.92            | 26,070.92            | 0.200        | 0.197        | 0.200        | 1                |               |
| SYSDEL0013                                | DEL0013      | FLORIDA SBA (Fund B)           |               | 2,290.88             | 2,290.88             | 2,290.88             | 0.001        | 0.001        | 0.001        | 1                |               |
| SYSDEL0004                                | DEL0004      | WELLS FARGO ADVANTAGE FUND     |               | 112,746.29           | 112,746.29           | 112,746.29           | 0.010        | 0.010        | 0.010        | 1                |               |
| <b>Subtotal and Average</b>               |              |                                |               | <b>15,030,968.84</b> | <b>15,030,968.84</b> | <b>15,030,968.84</b> | <b>0.096</b> | <b>0.097</b> | <b>0.097</b> | <b>1</b>         |               |
| <b>Commercial Paper Disc. -Amortizing</b> |              |                                |               |                      |                      |                      |              |              |              |                  |               |
| 63253JX13                                 | DEL0395      | NATL AUSTRALIA FDG (DE)        | 01/02/2013    | 1,000,000.00         | 999,000.28           | 999,000.28           | 0.295        | 0.295        | 0.299        | 122              | 10/01/2013    |
| 60688FXQ7                                 | DEL0410      | MIZUHO FUNDING LLC             | 04/24/2013    | 1,000,000.00         | 998,912.50           | 998,912.50           | 0.270        | 0.271        | 0.275        | 145              | 10/24/2013    |
| 90526NA62                                 | DEL0430      | UNION BANK NA                  | 05/07/2013    | 1,000,000.00         | 998,296.66           | 998,296.66           | 0.280        | 0.282        | 0.286        | 219              | 01/06/2014    |
| <b>Subtotal and Average</b>               |              |                                |               | <b>3,000,000.00</b>  | <b>2,996,209.44</b>  | <b>2,996,209.44</b>  | <b>0.282</b> | <b>0.286</b> | <b>0.286</b> | <b>162</b>       |               |
| <b>Federal Agency Coupon Securities</b>   |              |                                |               |                      |                      |                      |              |              |              |                  |               |
| 313374Y61                                 | DEL0290      | FHLB                           | 08/01/2011    | 2,000,000.00         | 2,001,794.00         | 1,999,906.83         | 0.500        | 0.512        | 0.519        | 88               | 08/28/2013    |
| 3134G3ZA1                                 | DEL0385      | FHLMC                          | 08/28/2012    | 1,250,000.00         | 1,252,391.25         | 1,251,998.82         | 0.500        | 0.422        | 0.428        | 818              | 08/28/2015    |
| 3135G0VH3                                 | DEL0420      | FNMA (Callable - NC2yr 1x)     | 04/30/2013    | 1,000,000.00         | 1,005,497.00         | 1,009,231.70         | 0.750        | 0.286        | 0.290        | 641              | 03/04/2016    |
| 3137EADQ9                                 | DEL0415      | FNMA                           | 04/30/2013    | 1,000,000.00         | 997,510.00           | 1,003,779.67         | 0.500        | 0.366        | 0.371        | 1,077            | 05/13/2016    |
| <b>Subtotal and Average</b>               |              |                                |               | <b>5,250,000.00</b>  | <b>5,257,192.25</b>  | <b>5,264,917.02</b>  | <b>0.420</b> | <b>0.425</b> | <b>0.425</b> | <b>556</b>       |               |

34

Item 5B

# City of Deltona – Portfolio Holdings

## City of Deltona Portfolio Management Portfolio Details - Investments May 31, 2013

Page 3

| CUSIP                              | Investment # | Issuer               | Purchase Date | Par Value            | Market Value         | Book Value           | Stated Rate | YTM/C 360    | YTM/C 365    | Days to Maturity | Maturity Date |
|------------------------------------|--------------|----------------------|---------------|----------------------|----------------------|----------------------|-------------|--------------|--------------|------------------|---------------|
| <b>Corporate Coupon Securities</b> |              |                      |               |                      |                      |                      |             |              |              |                  |               |
| 87244EAG7                          | DEL0350      | TIAA GLOBAL MKTS     | 03/08/2012    | 400,000.00           | 402,032.40           | 402,164.91           | 4.950       | 0.494        | 0.501        | 44               | 07/15/2013    |
| 46623EJD2                          | DEL0300      | JP MORGAN CHASE      | 08/12/2011    | 1,000,000.00         | 1,004,374.00         | 1,000,712.76         | 1.850       | 1.410        | 1.430        | 121              | 09/30/2013    |
| 64952WAX1                          | DEL0315      | NEW YORK LIFE GL     | 09/22/2011    | 1,000,000.00         | 1,007,525.00         | 1,004,577.35         | 1.850       | 0.967        | 0.980        | 195              | 12/13/2013    |
| 64952WAX1                          | DEL0345      | NEW YORK LIFE GL     | 03/14/2012    | 600,000.00           | 604,515.00           | 604,133.65           | 1.850       | 0.543        | 0.550        | 195              | 12/13/2013    |
| 38982G4G6                          | DEL0310      | GEN ELEC CAP CRP     | 09/13/2011    | 2,000,000.00         | 2,089,998.00         | 2,055,748.09         | 3.750       | 1.744        | 1.768        | 531              | 11/14/2014    |
| 084670AV0                          | DEL0380      | BERKSHIRE HATHWY     | 06/12/2012    | 1,000,000.00         | 1,044,681.00         | 1,039,977.58         | 3.200       | 0.799        | 0.810        | 620              | 02/11/2015    |
| 64952WAW3                          | DEL0320      | NEW YORK LIFE GL     | 11/09/2011    | 1,000,000.00         | 1,045,599.00         | 1,033,832.76         | 3.000       | 1.184        | 1.200        | 702              | 05/04/2015    |
| 594918AG9                          | DEL0405      | MICROSOFT CORP       | 02/15/2013    | 1,000,000.00         | 1,025,754.00         | 1,027,220.34         | 1.625       | 0.436        | 0.442        | 846              | 09/25/2015    |
| 931142CX9                          | DEL0400      | WAL-MART STORES INC. | 02/05/2013    | 1,000,000.00         | 1,022,513.00         | 1,023,416.16         | 1.500       | 0.509        | 0.516        | 876              | 10/25/2015    |
| <b>Subtotal and Average</b>        |              |                      |               | <b>9,000,000.00</b>  | <b>9,246,991.40</b>  | <b>9,191,783.60</b>  |             | <b>1.035</b> | <b>1.050</b> | <b>509</b>       |               |
| <b>Municipal Bonds</b>             |              |                      |               |                      |                      |                      |             |              |              |                  |               |
| 597749G53                          | DEL0425      | MIDLAND TX CTFS OBL  | 05/10/2013    | 940,000.00           | 974,911.60           | 981,526.89           | 2.000       | 0.513        | 0.520        | 1,004            | 03/01/2016    |
| <b>Subtotal and Average</b>        |              |                      |               | <b>940,000.00</b>    | <b>974,911.60</b>    | <b>981,526.89</b>    |             | <b>0.513</b> | <b>0.520</b> | <b>1,004</b>     |               |
| <b>Total and Average</b>           |              |                      |               | <b>41,920,968.84</b> | <b>42,206,273.53</b> | <b>42,165,405.79</b> |             | <b>0.629</b> | <b>0.637</b> | <b>353</b>       |               |

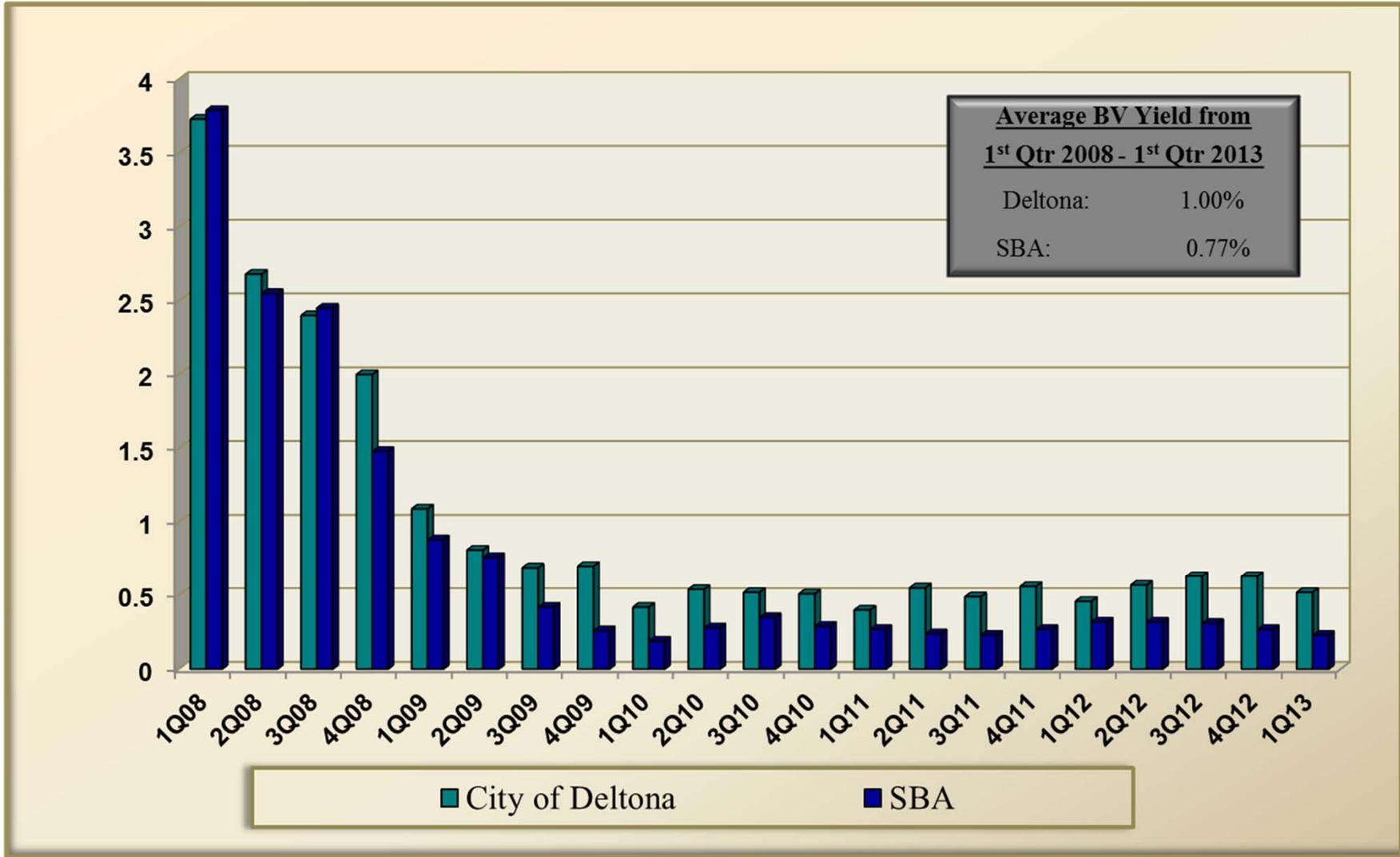
35

Item 5B

# City of Deltona

## Quarterly Book Value Yield vs. SBA Pool

1<sup>st</sup> Quarter 2008 through 1<sup>st</sup> Quarter 2013

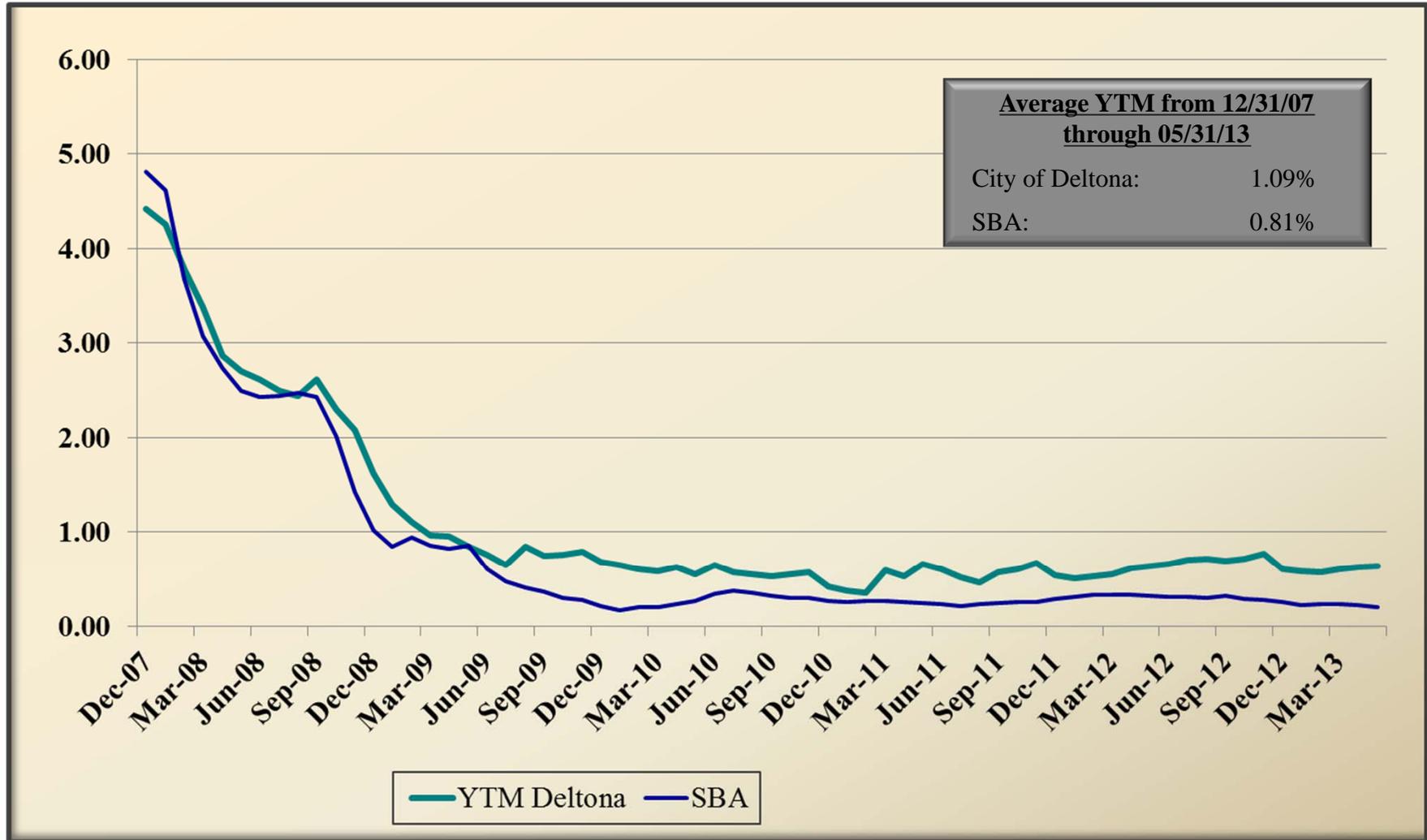


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Item 5B

# City of Deltona Yield To Maturity vs. SBA

December 31, 2007 – May 31, 2013



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Item 5B

City of Deltona  
Investment Account Balances  
May 31, 2013

| Account Name                                 | Bank   | Cost                    |
|--|--|-------------------------|
| Pooled Cash                                  | Wells Fargo                                    | \$ 8,338,003.64         |
| Investment-Money Market Mutual Funds         | Wells Fargo Securities                         | 3,100,000.00            |
| Certificate of Deposit                       | TD Bank  | 1,000,000.00            |
| Certificate of Deposits                      | BB&T   | 5,700,000.00            |
| Investment                                   | SBA-LGIP                                       | 26,070.92               |
| Investment                                   | SBA-Fund B                                     | 2,290.88                |
| Investment-Advantage Fund                    | Wells Fargo                                    | 112,746.29              |
| Investments-Federal Agency Coupon Securities | Wells Fargo                                    | 18,601,734.46           |
| Certificate of Deposits                      | Florida Safe Investment Pool-Fixed Income      | 2,000,000.00            |
| Investment                                   | Florida Safe Investment Pool                   | 4,681,162.25            |
| Investment-Stormwater                        | Florida Safe Investment Pool                   | 2,756,380.03            |
| Investment-Transportation                    | Florida Safe Investment Pool                   | 4,352,318.47            |
|  | Assets Reported by Davidson Fixed Income Mgmt. | 50,670,706.94           |
| Accrued Interest                             | BB&T, TD Bank, Florida Safe Pool-Fixed Income  | 94,624.47               |
| Accrued Interest                             | Wells Fargo                                    | 55,010.87               |
|  | <b>Total Investments</b>                       | <b>\$ 50,820,342.28</b> |

| Investment Balances<br>By Fund | General Fund<br>Undesignated/<br>Available | Designated and/or Restricted |                         |                      |                        |                            |                        | Total<br>Balance        |   |
|--------------------------------|--|------------------------------|-------------------------|----------------------|------------------------|----------------------------|------------------------|-------------------------|---|
|                                |  | Roads and<br>Streets***      | Physical<br>Environment | Grants               | Utility                |                            | Capital<br>Projects    |                         | Strategic and<br>Operating<br>Reserves* |
|                                |  |                              |                         |                      | Restricted**           | Undesignated/<br>Available |                        |                         |   |
| General Fund                   | \$ 5,519,771.84                            | \$ -                         | \$ -                    | \$ -                 | \$ -                   | \$ -                       | \$ 13,030,000.00       | \$ 18,549,771.84        |   |
| Deltona Water                  | -  | -                            | -                       | -                    | 8,491,123.11           | 6,043,546.83               | -                      | 14,534,669.94           |   |
| Equipment Replacement Fund     | -  | -                            | -                       | -                    | -                      | -                          | 3,071,551.36           | 3,071,551.36            |   |
| Transportation Fund            | -  | 3,986,349.89                 | -                       | -                    | -                      | -                          | -                      | 3,986,349.89            |   |
| Storm Water Fund               | -  | -                            | 5,067,261.26            | -                    | -                      | -                          | -                      | 5,067,261.26            |   |
| Municipal Complex Fund         | -  | -                            | -                       | -                    | -                      | -                          | 1,877,618.54           | 1,877,618.54            |   |
| Solid Waste Fund               | -  | -                            | 2,707,370.92            | -                    | -                      | -                          | -                      | 2,707,370.92            |   |
| SHIP                           | -  | -                            | -                       | 49,068.67            | -                      | -                          | -                      | 49,068.67               |   |
| Tree Replacement Fund          | -  | -                            | 476,396.16              | -                    | -                      | -                          | -                      | 476,396.16              |   |
| Environmental Improvement      | -  | -                            | 40,416.41               | -                    | -                      | -                          | -                      | 40,416.41               |   |
| Park Projects Fund             | -  | -                            | -                       | -                    | -                      | -                          | 77,210.86              | 77,210.86               |   |
| Streetlighting District Fund   | -  | 57,377.38                    | -                       | -                    | -                      | -                          | -                      | 57,377.38               |   |
| Park Impact Fees Fund          | -  | -                            | -                       | -                    | -                      | -                          | 78,227.16              | 78,227.16               |   |
| Fire Impact Fees Fund          | -  | -                            | -                       | -                    | -                      | -                          | 9,701.22               | 9,701.22                |   |
| Law Enforcement Impact Fees    | -  | -                            | -                       | -                    | -                      | -                          | 13,206.62              | 13,206.62               |   |
| CDBG                           | -  | -                            | -                       | (76,968.10)          | -                      | -                          | -                      | (76,968.10)             |   |
| NSP                            | -  | -                            | -                       | 298,134.60           | -                      | -                          | -                      | 298,134.60              |   |
| Miscellaneous Grants           | -  | -                            | -                       | 2,977.55             | -                      | -                          | -                      | 2,977.55                |   |
| <b>Total Investments</b>       | <b>\$ 5,519,771.84</b>                     | <b>\$ 4,043,727.27</b>       | <b>\$ 8,291,444.75</b>  | <b>\$ 273,212.72</b> | <b>\$ 8,491,123.11</b> | <b>\$ 6,043,546.83</b>     | <b>\$ 5,127,515.76</b> | <b>\$ 13,030,000.00</b> | <b>\$ 50,820,342.28</b>                 |

\* \$6 Million plus 60 Days of operating expenditures plus \$2,000,000 for Economic Development Incentives  
 \*\* Debt Service Reserve, Bond Sinking Fund, Renewal & Replacement  
 \*\*\* \$1,486,000 restricted for Debt Service Reserve

# City of Deltona

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Reports for the period: 05/01/2013 – 05/31/2013

City of Deltona  
2345 S. Providence Blvd  
Deltona, FL 32725

We urge you to compare the information contained in this periodic statement with the account statement(s) that you receive directly from the custodian that holds your account(s). Please notify us immediately if you identify any discrepancies or have any questions.



Davidson  
Fixed Income Management

REGISTERED INVESTMENT ADVISER

# City of Deltona Account Review – May 2013



Davidson  
Fixed Income Management  
REGISTERED INVESTMENT ADVISER

- City of Deltona: Robert Clinger, Finance Manager
- Davidson Fixed Income Management: Julie Hughes, Account Manager; Glenn Scott, Account Manager
- Investment Objectives:
  - Safety of Principal: The primary objective is to protect against any loss of principal.
  - Liquidity: Investments will be managed to ensure that funds are available to meet obligations as necessary.
  - Yield: Investments will be managed to optimize returns within the appropriate safety and liquidity constraints.

### Performance Information (03/01/2013 – 05/31/2013)

|                                | <u>City of Deltona<sup>2</sup></u> | <u>SBA</u> |
|--------------------------------|------------------------------------|------------|
| BV Return (Yield) <sup>1</sup> | 0.54%                              | 0.22%      |

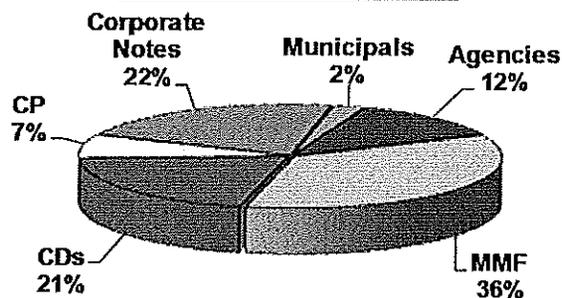
1. BV Rate of Return (Income) = Earned Interest +/- Realized Gain/Loss +/- Amortization.
  2. Reflects Rate of Return with a deduction of a 9 basis point management & custodial fee.
- Past performance of the City of Deltona portfolio does not guarantee future results.

### Portfolio Characteristics 05/31/2013

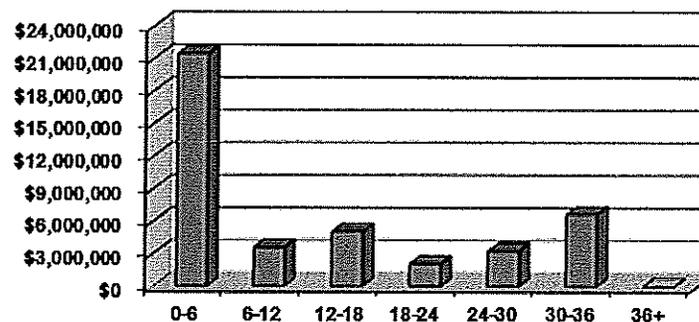
|                                   |           |                   |
|-----------------------------------|-----------|-------------------|
| Par Value:                        | \$        | 26,890,000        |
| Market Value of Securities & CDs: | \$        | 27,175,305        |
| Cost Value of Securities & CDs:   | \$        | 27,301,734        |
| MMF Balances:                     | \$        | 15,030,969        |
| Wells Fargo Operating Balance:    | \$        | 8,338,004         |
| <b>Total Account Balances:</b>    | <b>\$</b> | <b>50,670,707</b> |

|                             |             |
|-----------------------------|-------------|
| Weighted Avg YTM:           | 0.64%       |
| Weighted Avg Maturity/Call: | 11.8 Months |

### Portfolio Diversification



### Maturity Distribution





**City of Deltona**  
**Portfolio Management**  
**Portfolio Summary**  
**May 31, 2013**

| <b>Investments</b>                 | <b>Par Value</b>           | <b>Market Value</b>  | <b>Book Value</b>    | <b>% of Portfolio</b> | <b>Term</b> | <b>Days to Maturity</b> | <b>YTM/C 360 Equiv.</b> | <b>YTM/C 365 Equiv.</b> |
|------------------------------------|----------------------------|----------------------|----------------------|-----------------------|-------------|-------------------------|-------------------------|-------------------------|
| Certificates of Deposit - Bank     | 6,700,000.00               | 6,700,000.00         | 6,700,000.00         | 15.89                 | 1,499       | 798                     | 1.641                   | 1.664                   |
| Certificates of Deposit - PMA      | 2,000,000.00               | 2,000,000.00         | 2,000,000.00         | 4.74                  | 635         | 219                     | 0.493                   | 0.500                   |
| Managed Pool Accounts              | 15,030,968.84              | 15,030,968.84        | 15,030,968.84        | 35.65                 | 1           | 1                       | 0.096                   | 0.097                   |
| Commercial Paper Disc. -Amortizing | 3,000,000.00               | 2,996,209.44         | 2,996,209.44         | 7.11                  | 233         | 162                     | 0.282                   | 0.286                   |
| Federal Agency Coupon Securities   | 5,250,000.00               | 5,257,192.25         | 5,264,917.02         | 12.49                 | 959         | 556                     | 0.420                   | 0.425                   |
| Corporate Coupon Securities        | 9,000,000.00               | 9,246,991.40         | 9,191,783.60         | 21.80                 | 967         | 509                     | 1.035                   | 1.050                   |
| Municipal Bonds                    | 940,000.00                 | 974,911.60           | 981,526.89           | 2.33                  | 1,026       | 1,004                   | 0.513                   | 0.520                   |
| <b>Investments</b>                 | <b>41,920,968.84</b>       | <b>42,206,273.53</b> | <b>42,165,405.79</b> | <b>100.00%</b>        | <b>640</b>  | <b>353</b>              | <b>0.629</b>            | <b>0.637</b>            |
| <b>Total Earnings</b>              |                            |                      |                      |                       |             |                         |                         |                         |
|                                    | <b>May 31 Month Ending</b> |                      |                      |                       |             |                         |                         |                         |
| Current Year                       | 22,487.63                  |                      |                      |                       |             |                         |                         |                         |

Robert Clinger, Finance Manager

**City of Deltona  
Portfolio Management  
Investment Status Report - Investments  
May 31, 2013**

| CUSIP  | Investment # | Issuer | Par Value            | Stated Rate | Maturity Date | Purchase Date | YTM/C 360    | YTM/C 365    | Payment Dates       | Accrued Interest At Purchase | Current Principal    | Book Value           |
|--|--------------|--------|----------------------|-------------|---------------|---------------|--------------|--------------|---------------------|------------------------------|----------------------|----------------------|
| <b>Certificates of Deposit - Bank</b>            |              |        |                      |             |               |               |              |              |                     |                              |                      |                      |
| SYSDEL0325                                       | DEL0325      | BB&T   | 2,000,000.00         | 0.820       | 10/31/2014    | 11/01/2011    | 0.809        | 0.820        | 10/31 - 365 Days    |                              | 2,000,000.00         | 2,000,000.00         |
| SYSDEL0335                                       | DEL0335      | TDBANK | 1,000,000.00         | 0.840       | 11/15/2014    | 11/15/2011    | 0.828        | 0.840        | 11/14 - 365 Days    |                              | 1,000,000.00         | 1,000,000.00         |
| SYSDEL0265                                       | DEL0265      | BB&T   | 2,700,000.00         | 2.500       | 03/02/2016    | 03/02/2011    | 2.500        | 2.535        | 03/01 - 365 Days    |                              | 2,700,000.00         | 2,700,000.00         |
| SYSDEL0285                                       | DEL0285      | BB&T   | 1,000,000.00         | 1.800       | 05/05/2016    | 05/05/2011    | 1.800        | 1.825        | 05/04 - 365 Days    |                              | 1,000,000.00         | 1,000,000.00         |
| <b>Certificates of Deposit - Bank Totals</b>     |              |        | <b>6,700,000.00</b>  |             |               |               | <b>1.641</b> | <b>1.664</b> |                     | <b>0.00</b>                  | <b>6,700,000.00</b>  | <b>6,700,000.00</b>  |
| <b>Certificates of Deposit - PMA</b>             |              |        |                      |             |               |               |              |              |                     |                              |                      |                      |
| SYSDEL0370                                       | DEL0370      | PMACD  | 1,000,000.00         | 0.450       | 10/03/2013    | 04/11/2012    | 0.444        | 0.450        | 10/03 - At Maturity |                              | 1,000,000.00         | 1,000,000.00         |
| SYSDEL0375                                       | DEL0375      | PMACD  | 1,000,000.00         | 0.550       | 04/11/2014    | 04/11/2012    | 0.542        | 0.550        | 04/11 - At Maturity |                              | 1,000,000.00         | 1,000,000.00         |
| <b>Certificates of Deposit - PMA Totals</b>      |              |        | <b>2,000,000.00</b>  |             |               |               | <b>0.493</b> | <b>0.500</b> |                     | <b>0.00</b>                  | <b>2,000,000.00</b>  | <b>2,000,000.00</b>  |
| <b>Managed Pool Accounts</b>                     |              |        |                      |             |               |               |              |              |                     |                              |                      |                      |
| SYSDEL0007                                       | DEL0007      | AIMGAP | 0.00                 | 0.020       |               |               | 0.020        | 0.020        | 01/01 - Monthly     |                              | 0.00                 | 0.00                 |
| SYSDEL0006                                       | DEL0006      | AIMLAP | 0.00                 | 0.060       |               |               | 0.059        | 0.060        | 01/01 - Monthly     |                              | 0.00                 | 0.00                 |
| SYSDEL0330                                       | DEL0330      | FIDPR  | 3,100,000.00         | 0.090       |               | 12/14/2011    | 0.089        | 0.090        | 01/01 - Monthly     |                              | 3,100,000.00         | 3,100,000.00         |
| SYSDEL0009                                       | DEL0009      | FLSAF2 | 4,352,318.47         | 0.100       |               |               | 0.099        | 0.100        | 02/01 - Monthly     |                              | 4,352,318.47         | 4,352,318.47         |
| SYSDEL0011                                       | DEL0011      | FLSAF3 | 2,756,380.03         | 0.100       |               |               | 0.099        | 0.100        | 02/01 - Monthly     |                              | 2,756,380.03         | 2,756,380.03         |
| SYSDEL0008                                       | DEL0008      | FLSAFE | 4,681,162.25         | 0.100       |               |               | 0.099        | 0.100        | 01/01 - Monthly     |                              | 4,681,162.25         | 4,681,162.25         |
| SYSDEL0012                                       | DEL0012      | FLSBA  | 26,070.92            | 0.200       |               |               | 0.197        | 0.200        | 04/01 - Monthly     |                              | 26,070.92            | 26,070.92            |
| SYSDEL0013                                       | DEL0013      | FLSBAB | 2,290.88             | 0.001       |               |               | 0.001        | 0.001        | 04/01 - Monthly     |                              | 2,290.88             | 2,290.88             |
| SYSDEL0004                                       | DEL0004      | WFADV  | 112,746.29           | 0.010       |               |               | 0.010        | 0.010        | 01/01 - Monthly     |                              | 112,746.29           | 112,746.29           |
| <b>Managed Pool Accounts Totals</b>              |              |        | <b>15,030,968.84</b> |             |               |               | <b>0.096</b> | <b>0.097</b> |                     | <b>0.00</b>                  | <b>15,030,968.84</b> | <b>15,030,968.84</b> |
| <b>Commercial Paper Disc. -Amortizing</b>        |              |        |                      |             |               |               |              |              |                     |                              |                      |                      |
| 63253JX13  | DEL0395      | NABPP  | 1,000,000.00         | 0.295       | 10/01/2013    | 01/02/2013    | 0.295        | 0.299        | 10/01 - At Maturity |                              | 997,771.11           | 999,000.28           |
| 60688FXQ7  | DEL0410      | MIZFJN | 1,000,000.00         | 0.270       | 10/24/2013    | 04/24/2013    | 0.271        | 0.275        | 10/24 - At Maturity |                              | 998,627.50           | 998,912.50           |
| 90526NA62  | DEL0430      | UNBANA | 1,000,000.00         | 0.280       | 01/06/2014    | 05/07/2013    | 0.282        | 0.286        | 01/06 - At Maturity |                              | 998,102.22           | 998,296.66           |
| <b>Commercial Paper Disc. -Amortizing Totals</b> |              |        | <b>3,000,000.00</b>  |             |               |               | <b>0.282</b> | <b>0.286</b> |                     | <b>0.00</b>                  | <b>2,994,500.83</b>  | <b>2,996,209.44</b>  |
| <b>Federal Agency Coupon Securities</b>          |              |        |                      |             |               |               |              |              |                     |                              |                      |                      |
| 313374Y61  | DEL0290      | FHLB   | 2,000,000.00         | 0.500       | 08/28/2013    | 08/01/2011    | 0.512        | 0.519        | 08/28 - 02/28       | Received                     | 1,999,200.00         | 1,999,906.83         |
| 3134G3ZA1  | DEL0385      | FHLMC  | 1,250,000.00         | 0.500       | 08/28/2015    | 08/28/2012    | 0.422        | 0.428        | 02/28 - 08/28       |                              | 1,252,675.00         | 1,251,998.82         |
| 3135G0VH3  | DEL0420      | FNMA2Y | 1,000,000.00         | 0.750       | 03/04/2016    | 04/30/2013    | 0.286        | 0.290        | 09/04 - 03/04       | 1,166.67                     | 1,008,460.00         | 1,009,231.70         |
| 3137EADQ9  | DEL0415      | FNMA   | 1,000,000.00         | 0.500       | 05/13/2016    | 04/30/2013    | 0.366        | 0.371        | 05/13 - 11/13       | Received                     | 1,003,890.00         | 1,003,779.67         |
| <b>Federal Agency Coupon Securities Totals</b>   |              |        | <b>5,250,000.00</b>  |             |               |               | <b>0.420</b> | <b>0.425</b> |                     | <b>1,166.67</b>              | <b>5,264,225.00</b>  | <b>5,264,917.02</b>  |

**City of Deltona  
Portfolio Management  
Investment Status Report - Investments  
May 31, 2013**

| CUSIP                                     | Investment # | Issuer | Par Value            | Stated Rate | Maturity Date | Purchase Date | YTM/C 360    | YTM/C 365    | Payment Dates | Accrued Interest At Purchase | Current Principal    | Book Value           |
|---|--------------|--------|----------------------|-------------|---------------|---------------|--------------|--------------|---------------|------------------------------|----------------------|----------------------|
| <b>Corporate Coupon Securities</b>        |              |        |                      |             |               |               |              |              |               |                              |                      |                      |
| 87244EAG7                                 | DEL0350      | TIAAGL | 400,000.00           | 4.950       | 07/15/2013    | 03/08/2012    | 0.494        | 0.501        | 07/15 - 01/15 | Received                     | 424,060.00           | 402,164.91           |
| 46623EJD2                                 | DEL0300      | JPMC   | 1,000,000.00         | 1.650       | 09/30/2013    | 08/12/2011    | 1.410        | 1.430        | 09/30 - 03/30 | Received                     | 1,004,600.00         | 1,000,712.76         |
| 64952WAX1                                 | DEL0315      | NYL    | 1,000,000.00         | 1.850       | 12/13/2013    | 09/22/2011    | 0.967        | 0.980        | 12/13 - 06/13 | Received                     | 1,019,086.13         | 1,004,577.35         |
| 64952WAX1                                 | DEL0345      | NYL    | 600,000.00           | 1.850       | 12/13/2013    | 03/14/2012    | 0.543        | 0.550        | 06/13 - 12/13 | Received                     | 613,542.00           | 604,133.65           |
| 36962G4G6                                 | DEL0310      | GEC    | 2,000,000.00         | 3.750       | 11/14/2014    | 09/13/2011    | 1.744        | 1.768        | 11/14 - 05/14 | Received                     | 2,121,622.50         | 2,055,748.09         |
| 084670AV0                                 | DEL0380      | BRK    | 1,000,000.00         | 3.200       | 02/11/2015    | 06/12/2012    | 0.799        | 0.810        | 08/11 - 02/11 | Received                     | 1,062,850.00         | 1,039,977.58         |
| 64952WAW3                                 | DEL0320      | NYL    | 1,000,000.00         | 3.000       | 05/04/2015    | 11/09/2011    | 1.184        | 1.200        | 05/04 - 11/04 | Received                     | 1,061,270.00         | 1,033,832.76         |
| 594918AG9                                 | DEL0405      | MSFT   | 1,000,000.00         | 1.625       | 09/25/2015    | 02/15/2013    | 0.436        | 0.442        | 03/25 - 09/25 | Received                     | 1,030,660.00         | 1,027,220.34         |
| 931142CX9                                 | DEL0400      | WMT    | 1,000,000.00         | 1.500       | 10/25/2015    | 02/05/2013    | 0.509        | 0.516        | 04/25 - 10/25 | Received                     | 1,026,560.00         | 1,023,416.16         |
| <b>Corporate Coupon Securities Totals</b> |              |        | <b>9,900,000.00</b>  |             |               |               | <b>1.035</b> | <b>1.050</b> |               | <b>0.00</b>                  | <b>9,364,280.63</b>  | <b>9,191,783.60</b>  |
| <b>Municipal Bonds</b>                    |              |        |                      |             |               |               |              |              |               |                              |                      |                      |
| 597749G53                                 | DEL0425      | MID    | 940,000.00           | 2.000       | 03/01/2016    | 05/10/2013    | 0.513        | 0.520        | 09/01 - 03/01 | 3,603.33                     | 978,728.00           | 981,526.89           |
| <b>Municipal Bonds Totals</b>             |              |        | <b>940,000.00</b>    |             |               |               | <b>0.513</b> | <b>0.520</b> |               | <b>3,603.33</b>              | <b>978,728.00</b>    | <b>981,526.89</b>    |
| <b>Investment Totals</b>                  |              |        | <b>41,920,968.84</b> |             |               |               | <b>0.629</b> | <b>0.637</b> |               | <b>4,770.00</b>              | <b>42,332,703.30</b> | <b>42,165,405.79</b> |



## AGENDA MEMO

**TO:** Mayor & City Commission **AGENDA DATE:** 7/15/2013  
**FROM:** William D. Denny, Acting City Manager **AGENDA ITEM:** 5 - C  
**SUBJECT:** Presentation - Distinguished Budget Award for Fiscal Year 2012-2013.

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|   |   |
|---|---|
| <b>LOCATION:</b>                          | N/A   |
| <b>BACKGROUND:</b>                        | The City has received the Distinguished Budget Award from the Government Finance Officers' Association of the United States and Canada (GFOA) for the budget submitted for Fiscal Year 2012/2013. This is the 11th consecutive year the City has received this award. |
| <b>ORIGINATING DEPARTMENT:</b>            | Finance   |
| <b>SOURCE OF FUNDS:</b>                   | N/A   |
| <b>COST:</b>                              | N/A   |
| <b>REVIEWED BY:</b>                       | Finance Director  |
| <b>STAFF RECOMMENDATION PRESENTED BY:</b> | N/A - Presentation only.  |
| <b>POTENTIAL MOTION:</b>                  | N/A - Presentation only.  |
| <b>AGENDA ITEM APPROVED BY:</b>           | <hr/> William D. Denny, Acting City Manager   |



## AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 7/15/2013  
**FROM:** William D. Denny, Acting City Manager   **AGENDA ITEM:** 5 - D  
**SUBJECT:** Presentation - Quarterly Reports of City Advisory Boards/Committees.

|   |   |
|---|---|
| <b>LOCATION:</b>                          | N/A   |
| <b>BACKGROUND:</b>                        | <p>Quarterly Board Reports of City Advisory Boards/Committees:</p> <p>Parks and Recreation Advisory Committee - Written Report Only.</p> <p>1) Senior Advisory Sub-Committee<br/> 2) Youth Advisory Sub-Committee<br/> 3) Citizen Accessibility Advisory Sub-Committee</p> <p>Firefighter's Pension Plan, Board of Trustees - Presented by Lisa Spriggs</p> |
| <b>ORIGINATING DEPARTMENT:</b>            | City Clerk's Office   |
| <b>SOURCE OF FUNDS:</b>                   | N/A   |
| <b>COST:</b>                              | N/A   |
| <b>REVIEWED BY:</b>                       | City Clerk's Office   |
| <b>STAFF RECOMMENDATION PRESENTED BY:</b> | N/A - Presentation Only   |
| <b>POTENTIAL MOTION:</b>                  | N/A - Presentation Only   |
| <b>AGENDA ITEM APPROVED BY:</b>           | <hr style="width: 30%; margin-left: 0;"/> <p>William D. Denny, Acting City Manager</p>  |
| <b>ATTACHMENTS:</b>                       | <ul style="list-style-type: none"> <li>• Quarterly Report - Parks and Recreation</li> <li>• Quarterly Report - FFPB</li> </ul>  |

# **PARKS & RECREATION DEPARTMENT QUARTERLY REPORT APRIL, MAY, JUNE 2013**

## **Parks & Recreation Advisory Board**

### **Second quarter:**

- The members learned about the Early Learning Coalition looking to place the Born Learning interactive opportunity for young children at Harris Saxon Community Park. They asked questions and made suggestions.
- There was only one meeting this quarter.

## **Citizen Accessibility Advisory Sub-Committee**

### **Second quarter:**

- The members created an educational pamphlet on handicap parking permit rules.
- Two (2) spokespersons were nominated from this committee to speak on the handicap parking issues.
- This sub-committee co-hosted and worked the Community Expo on June 22, 2013.

## **Youth Advisory Sub-Committee**

### **Second quarter:**

- This committee hosted the teen game day at Harris Saxon Community Center as they continued to promote the “Teen Center” growth.
- Members developed a teen survey to better understand the needs of teens in the community.
- Members volunteered to work the Community Expo on June 22, 2013.

## **Senior Advisory Sub-Committee**

### **Second quarter:**

- This committee started planning for the Senior Breakfast in July and the Art & Craft Fair in November.
- The Sunshine Law was reviewed with the committee.

Respectfully submitted,  
Steve Moore, Director  
Parks and Recreation Department

**City of Deltona, Firefighters' Pension Plan  
Board of Trustees Quarterly Report  
Quarter Ended June 30, 2013**

**Board of Trustees:**

- City Commission Appointees (terms expire January 2013):
  - Darien LaBoy – original appointment June 2013
  - John Adams – original appointment January 2005
- Active plan member appointees (terms expire January 2013):
  - Kurt Vroman, – original appointment January 2009
  - Frank Snyder – original appointment October 2011
- Trustee Appointee (term expires January 2014):
  - James Koczan – original appointment February 2008

**Quarterly Administration Highlights:**

**1. Investments as of June 30, 2013 Totaled \$16,138,081:**

- a. Cash & Equivalents \$2,453,743
- b. Equities \$5,947,458
- c. Mutual Funds \$3,407,810
- d. Fixed Income \$4,329,070

**2. 2012 Annual State Report Filed** – The Plan is required to file a report annually to the Florida Department of Management Services, Division of Retirement, Municipal Police Officers' and Firefighters' Retirement Trust Funds' Office. The report provides detailed financial data for the Plan year ended September 30, 2012 and demonstrates compliance with all provisions of the state statute chapter 175 as required. Upon review and acceptance by the State that all statutory requirements have been met, the City is then eligible to receive its annual Insurance Premium Tax distribution. We received a letter of preliminary review from the state dated April 10, 2013 requesting additional information and clarification on certain items contained in the report. A response was provided in June and we are awaiting final approval from the State.

**3. Annual Member Benefit Statements** – Statements were distributed to Members in May. The statements provide a snapshot of each member's current status in the Plan; as well as an estimate of future benefits of which the member may be entitled upon attainment of credited service allowing for "normal" retirement under provisions of the Plan. The benefit statement is based on the Plan Ordinance in effect as of September 30, 2012. Benefits are based on current dollars utilizing wages in effect as of October 1, 2012, with no adjustment for future compensation increases the member may experience throughout their career with the City.

**4. Investment Management** – The Board continues to review its investment strategy with its independent investment consultant (the Bogdahn Group). The City Commission adopted Ordinance 03-2013 on February 4, 2013 and the Board adopted a revised Investment Policy Statement which

July 15, 2013

was filed with the City and the State in April. The consultant has provided education sessions on introducing Global Bond and Real Estate investment strategies. The Board reviewed and selected two Global Bond funds: PIMCO Diversified Income and Templeton Global Bond Advantage in April. On June 18, 2013, the Board conducted interviews with Real Estate Managers, selecting ASB Allegiance Real Estate Fund.

5. **Quarterly Board Meeting** – The next quarterly meeting of the Board of Trustees will be held July 18, 2013 at 3:00pm at the Deltona Municipal Complex.



## AGENDA MEMO

**TO:** Mayor & City Commission **AGENDA DATE:** 7/15/2013

**FROM:** William D. Denny, Acting City Manager **AGENDA ITEM:** 7 - A

**SUBJECT:** Request for approval to piggyback Florida Sheriff's Association contract with Ring Power Corporation for one (1) Caterpillar 289CD Skid Steer Loader with Tracks - Stormwater Division.

**LOCATION:**

N/A

**BACKGROUND:**

The Stormwater Division is requesting approval to award the purchase of one (1) Caterpillar 289CD Skid Steer Loader with Tracks. There are over 100 locations, including CDBG areas, that are scheduled to be a part of the Stormwater Divisions ongoing efforts of City wide drainage improvements projects. The new Skid Steer Loader will give the Stormwater Division the ability to complete these projects in a timely manner.

This item is being purchased with budgeted funds that were originally allocated for the Leland Drainage Improvements project. However, this project will not start until the FY2014 due to design and permitting delays.

To purchase this item, and as allowed in City/State policy, staff is requesting that the City piggyback the Florida Sheriff's & Florida Association of Counties Contract #12-10-095, which was solicited, approved and awarded by the Florida Sheriff's & Florida Association of Counties on October 1, 2012.

**ORIGINATING DEPARTMENT:**

Public Works/Deltona Water

**SOURCE OF FUNDS:**

Stormwater Utility Fund

**COST:**

\$81,598.30

**REVIEWED BY:**

Utilities / Public Works Director

**STAFF  
RECOMMENDATION  
PRESENTED BY:**

Gerald Chancellor, Utilities / Public Works Director - Request is being made to purchase one (1) Caterpillar 289CD Steer Loader with Tracks from Ring Power Corporation.

**POTENTIAL  
MOTION:**

"I move to approve award to Ring Power Corporation at a total cost not to exceed \$81,598.30 in accordance with the Florida Sheriff's & Florida Association of Counties contract #12-10-905 for one (1) Caterpillar 289CD Steer Loader with Tracks."

**AGENDA ITEM  
APPROVED BY:**

---

William D. Denny, Acting City  
Manager

**ATTACHMENTS:**

- Ring Power Pricing
- Florida Sheriffs Contract Award, Specifications and Pricing



|                                      |                                      |                                    |                                      |                                       |
|--------------------------------------|--------------------------------------|------------------------------------|--------------------------------------|---------------------------------------|
| <b>Brooksville</b><br>352-796-4978   | <b>Daytona Beach</b><br>386-947-3363 | <b>Gainesville</b><br>352-371-9983 | <b>St. Augustine</b><br>904-737-7730 | <b>Lake City</b><br>386-755-3997      |
| <b>Lakeland</b><br>863-606-0512      | <b>Ocala</b><br>352-732-2800         | <b>Orlando</b><br>407-855-6195     | <b>Palm Bay</b><br>321-952-3001      | <b>Perry</b><br>850-584-2800          |
| <b>Pompano Beach</b><br>854-977-5010 | <b>Sarasota</b><br>941-753-7535      | <b>Tallahassee</b><br>850-562-2121 | <b>Tampa</b><br>813-671-3700         | <b>Tarpon Springs</b><br>727-938-1515 |

**QUOTE PER THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT**

Quote Prepared For:  
City of Deltona

6/14/2013

**(1) NEW CATERPILLAR 289C2 SKID STEER LOADER TRACKS OR TIRES**

**CONTRACT DETAILS**

Florida Sheriff's Association  
 Bid # 12-10-905  
 Specification # 29, Skid Steer Loader - 1850 lb. Operating Capacity  
 Effective: October 1, 2012 Through September 30, 2013

**BASE MACHINE**

|  |                 |
|--|-----------------|
| 226B3 Caterpillar per Sheriff's Contract Spec. | <b>\$25,861</b> |
| UPGRADE TO 289C2                               | <b>\$26,944</b> |

|                                  |                 |
|----------------------------------|-----------------|
| <b>TOTAL OF CONTRACT PRICING</b> | <b>\$52,805</b> |
|----------------------------------|-----------------|

**NON-SPECIFIED OPTIONS**

|          |  |          |
|----------|--|----------|
| 258-3800 | Conversion Arrangement                             | NC       |
| 304-1862 | ANSI NACD Instructions                             | NC       |
| 258-4095 | 2" Seatbelt  | NC       |
| 295-7113 | Engine, Tier4 Interim Compliant                    | \$870    |
| 258-3691 | Hydraulic Quick Coupler                            | \$950    |
| 258-3183 | Hydraulics, High Flow XPS                          | \$4,105  |
| 258-3680 | ROPS, Enclosed with A/C (C3)                       | \$4,185  |
| 389-7655 | Triple Flange Idlers                               | \$1,175  |
| 258-4330 | Seat, Comfort, Air Suspension                      | \$337    |
| 380-1727 | Door, Cab, Polycarbonate                           | \$204    |
| 258-4066 | Radio Ready  | \$146    |
| 378-6656 | Performance Package (TL3)                          | \$1,330  |
|          | Inc Single Level Susp. Self-Leveling, 2-Spd, AMICS |          |
| 233-5913 | English Instructions                               | NC       |
| OP-0210  | Domestic Truck                                     | NC       |
| OP-9002  | Lane 2 Order (Not PDC)                             | NC       |
|          | Sub-total of Non-Specified Options                 | \$13,302 |
|          | less 15% Sheriffs discount                         | -\$3,059 |

|   |                 |
|---|-----------------|
| <b>Total of Non Specified Options Price</b> | <b>\$10,243</b> |
|---|-----------------|

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**Ring Power**



**Brooksville**  
352-796-4978

**Daytona Beach**  
386-947-3363

**Gainesville**  
352-371-9983

**St. Augustine**  
904-737-7730

**Lake City**  
386-755-3997

**Lakeland**  
863-606-0512

**Ocala**  
352-732-2800

**Orlando**  
407-855-6195

**Palm Bay**  
321-952-3001

**Perry**  
850-584-2800

**Pompano Beach**  
854-977-5010

**Sarasota**  
941-753-7535

**Tallahassee**  
850-562-2121

**Tampa**  
813-671-3700

**Tarpon Springs**  
727-938-1515

**Transaction price on items listed above \$63,048**

**Worktool Options**

217-6230 78" GP Bucket \$1,786  
less 6% Sheriffs Worktool Discount -\$107.16

**Worktool price \$1,678.84**

217-6230 78" Grapple Bucket BOCE \$5,838.00  
less 6% Sheriffs Worktool Discount -\$350.28

**Worktool Price \$5,487.72**

353-1697 48" Forks and Carriage \$1,121.00  
less 6% Sheriffs Worktool Discount -\$67.26

**Worktool Price \$1,053.74**

**Warranty**  
One year new machine included  
3 Year or 3000 Hour Powertrain Warranty \$2,650.00

**Please budget a 8% price increase after Sept 30th**

Jeremy Miles  
Ring Power Corporation

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# QUOTATION

TO: City of Deltona

DATE: 6/14/2013

ATTN: Joseph Walker

TERMS: Net 10 Days  
*All machines quoted are subject to machine availability and prior sale.*

---

| QTY | DESCRIPTION OF EQUIPMENT |
|-----|--------------------------|
|-----|--------------------------|

---

|   |   |
|---|---|
| 1 | <b>New Towmaster TC-14D 7 Ton Trailer</b> |
|---|---|

Deck Length 18 Feet  
Deck Type 2" Nominal White Oak  
Width 102" Overall with 82" Deck  
Axles 7K Torflex Non-EZ Lube  
Brakes Electric  
Tires 235/85R X 16 Goodyear  
Jack 12k Drop Leg  
Lights Rubber Mounted Sealed Beams  
Plug 7 Pole RV  
Hitch 3" Pintle Ring  
Ramps Spring Assist 5' Angle Iron  
Tie Downs Bent Flat Bar

**Sale Price: \$7,680**

**"Please Budget for up to a 10% Price Increase"**

Above Prices Are F.O.B. Daytona Beach

Florida State Sales Tax To Apply If Applicable

Accepted By: \_\_\_\_\_ Date: \_\_\_\_\_

All prices effective for a period of thirty (30) days from date of quotation.

RING POWER CORPORATION

\_\_\_\_\_  
Sales Representative: Jeremy Miles

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**FLORIDA SHERIFFS ASSOCIATION,  
FLORIDA ASSOCIATION OF COUNTIES &  
FLORIDA FIRE CHIEFS' ASSOCIATION**

| Name of Dealership   | Type of Vehicle      | Zone       | Base Unit Price |
|--|----------------------|------------|-----------------|
| <u>SKID STEER LOADER - 1850 LB. OPERATING CAPACITY (TRACKS OR TIRES) (Specification #29)</u> |                      |            |                 |
| Bobcat/Doosan Company  | 2013 Bobcat S185     | Western    | \$23,401.00     |
| Bobcat/Doosan Company  | 2013 Bobcat S185     | Northern   | \$23,401.00     |
| Bobcat/Doosan Company  | 2013 Bobcat S185     | Central    | \$23,401.00     |
| Bobcat/Doosan Company  | 2013 Bobcat S185     | Southern   | \$23,401.00     |
| Trekker Tractor, LLC   | 2013 Case SV185      | Western    | \$25,780.00     |
| Trekker Tractor, LLC   | 2013 Case SV185      | Northern   | \$25,780.00     |
| Trekker Tractor, LLC   | 2013 Case SV185      | Central    | \$25,780.00     |
| Trekker Tractor, LLC   | 2013 Case SV185      | Southern   | \$25,780.00     |
| Ring Power Corporation   | 2013 Caterpillar 226 | Western    | \$25,861.00     |
| Ring Power Corporation   | 2013 Caterpillar 226 | Northern   | \$25,861.00     |
| Ring Power Corporation   | 2013 Caterpillar 226 | Central    | \$25,861.00     |
| Kelly Tractor Co.  | 2013 Caterpillar 226 | Southern   | \$25,289.00     |
| Glade & Grove Supply Co., Inc.   | 2013 JCB 155         | Western    | \$26,395.00     |
| Glade & Grove Supply Co., Inc.   | 2013 JCB 155         | Northern   | \$26,195.00     |
| Glade & Grove Supply Co., Inc.   | 2013 JCB 155         | Central    | \$25,845.00     |
| Glade & Grove Supply Co., Inc.   | 2013 JCB 155         | Southern   | \$25,845.00     |
| Nortrax, Inc.  | 2013 John Deere 318D | ★ Western  | \$22,000.00     |
| Nortrax, Inc.  | 2013 John Deere 318D | ★ Northern | \$22,000.00     |
| Nortrax, Inc.  | 2013 John Deere 318D | ★ Central  | \$22,000.00     |
| Nortrax, Inc.  | 2013 John Deere 318D | ★ Southern | \$22,000.00     |
| Futch's Tractor Depot, Inc.  | 2013 Kubota SVL75    | Western    | \$35,950.00     |
| Futch's Tractor Depot, Inc.  | 2013 Kubota SVL75    | Northern   | \$35,500.00     |
| Futch's Tractor Depot, Inc.  | 2013 Kubota SVL75    | Central    | \$35,500.00     |
| Futch's Tractor Depot, Inc.  | 2013 Kubota SVL75    | Southern   | \$35,950.00     |

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|                                     |                       |          |             |
|-------------------------------------|-----------------------|----------|-------------|
| Kingline Equipment                  | 2013 New Holland L220 | Western  | \$26,500.00 |
| Kingline Equipment                  | 2013 New Holland L220 | Northern | \$26,500.00 |
| Kingline Equipment                  | 2013 New Holland L220 | Central  | \$28,000.00 |
| Kingline Equipment                  | 2013 New Holland L220 | Southern | \$28,500.00 |
| Cowin Equipment Company, Inc.       | 2013 Takeuchi TL230-2 | Western  | \$39,623.00 |
| G S Equipment, Inc.                 | 2013 Takeuchi TL230-2 | Northern | \$40,060.00 |
| G S Equipment, Inc.                 | 2013 Takeuchi TL230-2 | Central  | \$40,060.00 |
| G S Equipment, Inc.                 | 2013 Takeuchi TL230-2 | Southern | \$40,060.00 |
| Flagler Construction Equipment, LLC | 2013 Volvo MC95C      | Western  | \$28,977.00 |
| Flagler Construction Equipment, LLC | 2013 Volvo MC95C      | Northern | \$28,977.00 |
| Flagler Construction Equipment, LLC | 2013 Volvo MC95C      | Central  | \$28,977.00 |
| Flagler Construction Equipment, LLC | 2013 Volvo MC95C      | Southern | \$28,977.00 |

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**FLORIDA SHERIFFS ASSOCIATION,  
FLORIDA ASSOCIATION OF COUNTIES &  
FLORIDA FIRE CHIEFS' ASSOCIATION**

**SKID STEER LOADER - 1850 LB. OPERATING CAPACITY (TRACKS OR  
TIRES)  
SPECIFICATION #29**

**2013 Caterpillar 226**

The Caterpillar 226 purchased through this contract comes with all the standard equipment as specified by the manufacturer for this model and FSA's base vehicle specification(s) requirements which are included and made a part of this contract's vehicle base price as awarded by specification by zone.

|             |             |             |             |             |
|-------------|-------------|-------------|-------------|-------------|
| ZONE:       | Western     | Northern    | Central     | Southern    |
| BASE PRICE: | \$25,861.00 | \$25,861.00 | \$25,861.00 | \$25,289.00 |

While the Florida Sheriffs Association, Florida Association of Counties and Florida Fire Chiefs' Association have attempted to identify and include those equipment items most often requested by participating agencies for full size vehicles, we realize equipment needs and preferences are going to vary from agency to agency. In an effort to incorporate flexibility into our program, we have created specific add/delete options which allow the purchaser to tailor the vehicle to their particular wants or needs.

The following equipment delete and add options and their related cost are provided here to assist you in approximating the total cost of the type vehicle(s) you wish to order through this program. Simply deduct the cost of any of the following equipment items you wish deleted from the base unit cost and/or add the cost of any equipment items you wish added to the base unit cost to determine the approximate cost of the type vehicle(s) you wish to order.

NOTE: An official listing of all add/delete options and their prices should be obtained from the appropriate dealer in your zone when preparing your order. Additional add/delete options other than those listed here may be available through the dealers, however, those listed here must be honored by the dealers in your zone at the stated prices.

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**FLORIDA SHERIFFS ASSOCIATION,  
FLORIDA ASSOCIATION OF COUNTIES &  
FLORIDA FIRE CHIEFS' ASSOCIATION**

**SKID STEER LOADER - 1850 LB. OPERATING CAPACITY (TRACKS OR  
TIRES)  
SPECIFICATION #29**

- 2013 Bobcat S185
- 2013 Case SV185
- 2013 Caterpillar 226
- 2013 JCB 155
- 2013 John Deere 318D
- 2013 Kubota SVL75
- 2013 New Holland L220
- 2013 Takeuchi TL230-2
- 2013 Volvo MC95C

**ALL ITEMS FACTORY INSTALLED UNLESS OTHERWISE INDICATED**

**INSTRUCTIONS:** Listed above, you will find the model numbers of the vehicles that will be included in this year's contract.

1. ENGINE:

- a. 56 HP diesel engine

2. TRANSMISSION:

- a. Forward, reverse, travel speed controlled by two hand levers.
- b. Hydrostatic drive

3. ENGINE EQUIPMENT:

- a. Spin-on type filters
- b. Dry type air filter

4. OPERATOR ENVIRONMENT:

- a. OSHA approved ROPS canopy shall be integral
- b. Front and rear work lights
- c. Hazard lights
- d. Engine monitoring system or gauges with alarm.
- e. Horn and backup alarm

5. BRAKES:

- a. Parking brake

6. LOADER:

- a. Front auxiliary hydraulics
- b. Foot or hand controls for bucket
- c. Minimum 62" bucket

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**VEHICLE:** 226  
**DEALER:** Ring Power Corporation Ring Power Corporation Ring Power Corporation Kelly Tractor Co.  
**ZONE:** Western Northern Central Southern  
**BASE PRICE:** \$25,861.00 \$25,861.00 \$25,861.00 \$25,289.00

| Order Code            | Delete Options   | Western & Northern & Central | Southern                  |
|-----------------------|--|------------------------------|---------------------------|
| 361-0460 <sup>1</sup> | Downgrade model - specify<br>216 BASE MACHINE ONLY <sup>1</sup>  | (\$1,850.00) <sup>1</sup>    | (\$2,418.00) <sup>2</sup> |
| 216 <sup>2</sup>      | BASE 216 #326-5414 SKID STEER W/FREIGHT & PREP ONLY <sup>2</sup> |                              |                           |
|                       | Downgrade model - specify  |                              |                           |
|                       | Downgrade model - specify  |                              |                           |
|                       | Downgrade model - specify  |                              |                           |
|                       | Optional equipment delete  |                              |                           |
|                       | Optional equipment delete  |                              |                           |
|                       | Optional equipment delete  |                              |                           |

| Order Code            | Add Options  | Western & Northern & Central | Southern                 |
|-----------------------|--|------------------------------|--------------------------|
| 326-5422 <sup>1</sup> | Skid Steer Loader: 2,500 lb. Operating Capacity with 75 HP Engine<br>252 SKID STEER BASE MACHINE ONLY <sup>1</sup>           | \$6,886.00 <sup>1</sup>      | \$6,578.00 <sup>2</sup>  |
| 252 <sup>2</sup>      | BASE 252 #326-5422 SKID STEER W/FREIGHT & PREP ONLY <sup>2</sup>   |                              |                          |
| 287C <sup>1</sup>     | The Rook - NIJ Level IV + Armored Caterpillar Multi-Terrain Loader<br>THE ROOK NIJ LEVEL IV ARMED CAT MT LOADER <sup>1</sup> | \$173,437.00 <sup>1</sup>    | NA                       |
| 326-5420 <sup>1</sup> | Model upgrade - specify<br>236 SKID STEER BASE MACHINE ONLY <sup>1</sup>   | \$3,182.00 <sup>1</sup>      | \$2,956.00 <sup>2</sup>  |
| 236 <sup>2</sup>      | BASE 236 #326-5420 SKID STEER W/FREIGHT & PREP ONLY <sup>2</sup>   |                              |                          |
| 380-8652 <sup>1</sup> | Model upgrade - specify<br>242 SKID STEER BASE MACHINE ONLY <sup>1</sup>   | \$5,001.00 <sup>1</sup>      | \$3,345.00 <sup>2</sup>  |
| 242 <sup>2</sup>      | BASE 242 #326-5242 SKID STEER W/FREIGHT & PREP ONLY <sup>2</sup>   |                              |                          |
| 295-7246 <sup>1</sup> | Model upgrade - specify<br>246 SKID STEER BASE MACHINE ONLY <sup>1</sup>   | \$5,722.00 <sup>1</sup>      | \$5,441.00 <sup>2</sup>  |
| 246 <sup>2</sup>      | BASE 246 #295-7246 SKID STEER W/FREIGHT & PREP ONLY <sup>2</sup>   |                              |                          |
| 361-0470 <sup>1</sup> | Model upgrade - specify<br>262 SKID STEER BASE MACHINE ONLY <sup>1</sup>   | \$8,786.00 <sup>1</sup>      | \$7,652.00 <sup>2</sup>  |
| 256 <sup>2</sup>      | BASE 256 #295-7256 SKID STEER W/FREIGHT & PREP ONLY <sup>2</sup>   |                              |                          |
| 345-6272 <sup>1</sup> | Model upgrade - specify<br>272 SKID STEER BASE MACHINE ONLY <sup>1</sup>   | \$11,838.00 <sup>1</sup>     | \$8,771.00 <sup>2</sup>  |
| 262 <sup>2</sup>      | BASE 262 #378-6662 SKID STEER W/FREIGHT & PREP ONLY <sup>2</sup>   |                              |                          |
| 326-5418 <sup>1</sup> | Model upgrade - specify<br>247 MTL BASE MACHINE ONLY <sup>1</sup>  | \$8,103.00 <sup>1</sup>      | \$11,756.00 <sup>2</sup> |
| 272 <sup>2</sup>      | BASE 272 #345-6772 SKID STEER W/FREIGHT & PREP ONLY <sup>2</sup>   |                              |                          |
| 326-5534 <sup>1</sup> | Enclosed cab with heat and AC<br>ROPS, ENCLOSED WITH A/C (C3) <sup>1</sup>   | \$2,479.00 <sup>1</sup>      |                          |

Item 7A

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**VEHICLE:** 226  
**DEALER:** Ring Power Corporation Ring Power Corporation Ring Power Corporation Kelly Tractor Co.  
**ZONE:** Western Northern Central Southern  
**BASE PRICE:** \$25,861.00 \$25,861.00 \$25,861.00 \$25,289.00

|                  |   |  |                          |                          |
|------------------|---|--|--------------------------|--------------------------|
| 378-5382<br>1    | High flow hydraulics<br><i>HYDRAULICS, HIGH FLOW</i> 1                                    |  | \$1,496.00 <sup>1</sup>  |                          |
|                  | Suspension seat<br><i>INCLUDED IN THE ENCLOSED CAB WITH A/C OPTION</i> 1                  |  | Incl. <sup>1</sup>       |                          |
| 326-5478<br>1    | Self-leveling bucket positioning<br><i>SELF-LEVELING</i> 1                                |  | \$378.00 <sup>1</sup>    |                          |
|                  | Joystick controls   |  | Incl.                    |                          |
|                  | Sound suppression/headliner<br><i>INCLUDED IN THE ENCLOSED CAB WITH A/C OPTION</i> 1      |  | Incl. <sup>1</sup>       |                          |
| 279-5381<br>1    | Multi-purpose bucket with cutting edge<br><i>BUCKET-MP, BOCE, 60"</i> 1                   |  | \$3,368.00 <sup>1</sup>  |                          |
| 219-7706<br>1    | Multi-purpose attachments - specify<br><i>AUGER, A19B</i> 1                               |  | \$2,362.00 <sup>1</sup>  |                          |
| 246-7314<br>1    | Multi-purpose attachments - specify<br><i>COLD PLANER, PC206</i> 1                        |  | \$17,944.00 <sup>1</sup> |                          |
| 353-1696<br>1    | Multi-purpose attachments - specify<br><i>FORKS, 42" PALLET W/ CARRIAGE</i> 1             |  | \$863.00 <sup>1</sup>    |                          |
| 264-9500<br>1    | Multi-purpose attachments - specify<br><i>BRUSHCUTTER, BR160, 60"</i> 1                   |  | \$4,924.00 <sup>1</sup>  |                          |
|                  | Multi-purpose attachments - specify   |  |                          |                          |
| 326-5257<br>1    | Optional equipment - specify<br><i>257 MTL BASE MACHINE ONLY</i> 1                        |  | \$14,658.00 <sup>1</sup> | \$16,351.00 <sup>2</sup> |
| 259 <sup>2</sup> | <i>BASE 259 #326-5259 CTL W/FREIGHT &amp; PREP ONLY</i> 2                                 |  |                          |                          |
| 378-6677<br>1    | Optional equipment - specify<br><i>277 MTL BASE MACHINE ONLY</i> 1                        |  | \$23,014.00 <sup>1</sup> | \$25,645.00 <sup>2</sup> |
| 279 <sup>2</sup> | <i>BASE 279 #304-1879 CTL W/FREIGHT &amp; PREP ONLY</i> 2                                 |  |                          |                          |
| 378-6687<br>1    | Optional equipment - specify<br><i>287 MTL BASE MACHINE ONLY</i> 1                        |  | \$25,531.00 <sup>1</sup> | \$28,213.00 <sup>2</sup> |
| 289 <sup>2</sup> | <i>BASE 289 #304-1889 CTL W/FREIGHT &amp; PREP ONLY</i> 2                                 |  |                          |                          |
| 326-5259<br>1    | Optional equipment - specify<br><i>259 CTL BASE MACHINE ONLY</i> 1                        |  | \$15,589.00 <sup>1</sup> | \$30,651.00 <sup>2</sup> |
| 299 <sup>2</sup> | <i>BASE 299 #345-6299 CTL W/FREIGHT &amp; PREP ONLY</i> 2                                 |  |                          |                          |
| 378-6679<br>1    | Optional equipment - specify<br><i>279 CTL BASE MACHINE ONLY</i> 1                        |  | \$24,397.00 <sup>1</sup> | \$7,573.00 <sup>2</sup>  |
| 247 <sup>2</sup> | <i>BASE 247 #326-5418 MTL W/FREIGHT &amp; PREP ONLY</i> 2                                 |  |                          |                          |
| * 378-6689<br>1  | Optional equipment - specify<br><i>289 CTL BASE MACHINE ONLY</i> 1                        |  | \$26,944.00 <sup>1</sup> | \$15,079.00 <sup>2</sup> |
| 257 <sup>2</sup> | <i>BASE 257 #326-5257 MTL W/FREIGHT &amp; PREP ONLY</i> 2                                 |  |                          |                          |
| 345-6299<br>1    | Optional equipment - specify<br><i>299 CTL BASE MACHINE ONLY</i> 1                        |  | \$35,875.00 <sup>1</sup> | \$23,778.00 <sup>2</sup> |
| 277 <sup>2</sup> | <i>BASE 277 #378-6677 MTL W/FREIGHT &amp; PREP ONLY</i> 2                                 |  |                          |                          |
| 287 <sup>2</sup> | Optional equipment - specify<br><i>BASE 287 #378-6687 MTL W/FREIGHT &amp; PREP ONLY</i> 2 |  |                          | \$26,295.00 <sup>2</sup> |

Item 7A

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**VEHICLE:** 226  
**DEALER:** Ring Power Corporation Ring Power Corporation Ring Power Corporation Kelly Tractor Co.  
**ZONE:** Western Northern Central Southern  
**BASE PRICE:** \$25,861.00 \$25,861.00 \$25,861.00 \$25,289.00

|   |  |                         |                          |
|---|--|-------------------------|--------------------------|
| 299 XHP <sup>2</sup>                    | Optional equipment - specify<br>BASE 299 XHP #345-5299 CTL W/FREIGHT & PREP ONLY <sup>2</sup>  |                         | \$43,292.00 <sup>2</sup> |
| 272 XHP <sup>2</sup>                    | Optional equipment - specify<br>BASE 272 XHP #345-5272 SKID STEER W/FREIGHT & PREP ONLY <sup>2</sup>   |                         | \$23,718.00 <sup>2</sup> |
|   | Optional equipment - specify   |                         |                          |
|   | Optional equipment - specify   |                         |                          |
|   | Optional equipment - specify   |                         |                          |
|   | Optional equipment - specify   |                         |                          |
|   | Optional equipment - specify   |                         |                          |
|   | Temporary tag  |                         |                          |
|   | Transfer existing registration (must provide tag number)   |                         |                          |
|   | New state tag (specify state, county, city, sheriff, etc.)   |                         |                          |
|   | Maintenance Plan - specify   |                         |                          |
|   | Maintenance Plan - specify   |                         |                          |
| 3 YEAR /<br>3,000<br>HOUR <sup>1</sup>  | Warranty - specify<br>PREMIER ESC <sup>1</sup>   | \$2,400.00 <sup>1</sup> |                          |
| 4 YEAR /<br>4,000<br>HOURS <sup>1</sup> | Warranty - specify<br>POWERTRAIN <sup>1</sup>  | \$2,700.00 <sup>1</sup> |                          |
| 25%<br>Discount <sup>1</sup>            | Discount percentage off manufacturer's current published retail prices for non-specified options and any optional models bid. This discount ONLY APPLIES to a downgrade or an upgrade to the model listed in this specification. It does not apply to a completely different make or model. (The discount is applied to the manufacturer's current published retail prices.)<br>25% DISCOUNT ON CAT 216, 226, AND 272; 17% DISCOUNT ON CAT 236, 242, 246, 252, 256, AND 262; 15% DISCOUNT ON CAT 259 THROUGH 289 & 257 THROUGH 287; 23% DISCOUNT ON 247. 6% DISCOUNT ON ALL CAT WORK TOOLS ( BUCKETS, COLD PLANERS, BROOMS, ETC. ). 20% DISCOUNT ON ALL ROOK ATTACHMENTS. <sup>1</sup><br><br>25% Discount on Cat Skid Steer models 216, 226, & 272. 17% Discount on Cat Skid Steer Loader models 236, 242, 246, 252, 256, & 262. 15% Discount on Cat Compact Track Loader models 259 - 299. 15% Discount on Cat Multi-Terrain Loaders Models 257 - 287. 16% Discount on Cat Work Tools <sup>2</sup> | 1                       | 2                        |
| 25%<br>Discount <sup>2</sup>            |  |                         |                          |

Item 7A

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## AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 7/15/2013

**FROM:** William D. Denny, Acting City Manager                      **AGENDA ITEM:** 7 - B

**SUBJECT:** Request for approval to piggyback State of Florida contract with the John Deere Company for two (2) John Deere 997 Commercial Zero Turn Radius Mowers - Stormwater Division.

**LOCATION:**

N/A

**BACKGROUND:**

The Stormwater Division is requesting approval to award the purchase of two (2) John Deere 997 Commercial Zero Turn Radius Mowers. The Mowers will be used to maintain the City's 31 residential sectors and the new drainage retention ponds constructed as part of the recent road widening on Ft. Smith Blvd. and Normandy Blvd.

These mowers are being purchased with budgeted funds that were seen from a cost savings in the Water Tanker Truck that was purchased earlier this year. The Water Tanker Truck was originally budgeted for \$67,000.00. However, the price was significantly lower and remaining funds are available to cover the costs of the mowers.

To purchase these items, and as allowed in City/State policy, staff is requesting that the City piggyback the State of Florida Contract # 760-000-10-1, which was solicited, approved and awarded by the State of Florida on April 28, 2010.

**ORIGINATING DEPARTMENT:**

Public Works/Deltona Water

**SOURCE OF FUNDS:**

Stormwater Utility Fund

**COST:**

\$32,306.00

**REVIEWED BY:**

Utilities / Public Works Director

**STAFF  
RECOMMENDATION  
PRESENTED BY:**

Gerald Chancellor, Utilities / Public Works Director - Request is being made to purchase two (2) John Deere 997 Commercial Turn Radius Mowers from the John Deere Company.

**POTENTIAL  
MOTION:**

"I move to approve award to the John Deere Company at a total cost not to exceed \$32,306.00 in accordance with the State of Florida contract #760-000-10-1 for two (2) John Deere 997 Commercial Turn Radius Mowers."

**AGENDA ITEM  
APPROVED BY:**

---

William D. Denny, Acting City  
Manager

**ATTACHMENTS:**

- John Deere Pricing
- State Contract award and pricing discount



**Quote Id:** 8299138      **Customer Name:** CITY OF DELTONA

**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**  
 John Deere Company  
 2000 John Deere Run  
 Cary, NC 27513  
 FED ID: 36-2382580;  
 DUNS#: 60-7690989

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**  
 SOUTH DAYTONA TRACTOR & MWER  
 3000,A SOUTH RIDGEWOOD AVE.  
 SOUTH DAYTONA, FL 321193543  
 386-760-5067

**Quote Summary**

**Prepared For:**  
 CITY OF DELTONA  
 JOSEPH WALKER  
 201 HOWLAND BLVD  
 DELTONA, FL 32738  
 Business: 386-878-8950

**Delivering Dealer:**  
**SOUTH DAYTONA TRACTOR & MWER**  
 Randy Smith  
 3000,A SOUTH RIDGEWOOD AVE.  
 SOUTH DAYTONA, FL 321193543  
 Phone: 386-760-5067  
 Mobile: 386-747-9338  
 smithrds@bellsouth.net

**Quote ID:** 8299138  
**Created On:** June 25, 2013  
**Last Modified On:** June 25, 2013  
**Expiration Date:** July 26, 2013

Item 7B

| Equipment Summary   | Suggested List | Selling Price | Qty | = | Extended     |
|---|----------------|---------------|-----|---|--------------|
| JOHN DEERE 997 Commercial L. C. Diesel Max-Frame Z-Trak with 72 In. Side Discharge 7-Iron PRO Deck<br><b>Contract:</b> Construction_Industrial_AG_L&G_760-000-10-1<br><b>Price Effective Date:</b> April 22, 2013 | \$ 20,344.00   | \$ 15,664.88  | X 2 | = | \$ 31,329.76 |
|   |                |               |     |   |              |
| Tel-Trax UJD1200<br><b>Contract:</b><br><b>Price Effective Date:</b>  | \$ 489.00      | \$ 489.00     | X 2 | = | \$ 978.00    |

*GROUP #22*

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**Equipment Total** **\$ 32,307.76**

\* Includes Fees and Non-contract items

**Quote Summary**

|                    |                     |
|--------------------|---------------------|
| Equipment Total    | \$ 32,307.76        |
| Trade In           |                     |
| SubTotal           | <b>\$ 32,307.76</b> |
| Total              | \$ 32,307.76        |
| Down Payment       | (0.00)              |
| Rental Applied     | (0.00)              |
| <b>Balance Due</b> | <b>\$ 32,307.76</b> |

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_



JOHN DEERE

# Selling Equipment



Quote Id: 8299138

Customer Name: CITY OF DELTONA

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):  
 John Deere Company  
 2000 John Deere Run  
 Cary, NC 27513  
 FED ID: 36-2382580;  
 DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:  
 SOUTH DAYTONA TRACTOR & MWER  
 3000,A SOUTH RIDGEWOOD AVE.  
 SOUTH DAYTONA, FL 321193543  
 386-760-5067

| JOHN DEERE 997 Commercial L. C. Diesel Max-Frame Z-Trak with 72 In. |   |     |                     |           |                    |                     |                         |                  |
|---|---|-----|---------------------|-----------|--------------------|---------------------|-------------------------|------------------|
| Contract: Construction_Industrial_AG_L&G_760-000-10-1               |   |     |                     |           |                    | Group #22           |                         | Suggested List * |
| Price Effective Date: April 22, 2013                                |   |     |                     |           |                    |                     |                         | \$ 20,344.00     |
|   |   |     |                     |           |                    |                     |                         | Selling Price *  |
|   |   |     |                     |           |                    |                     |                         | \$ 15,664.88     |
| * Price per item - includes Fees and Non-contract items             |   |     |                     |           |                    |                     |                         |                  |
| Code  | Description   | Qty | List Price          | Discount% | Discount Amount    | Contract Price      | Extended Contract Price |                  |
| 095BTC  | 997 Commercial L. C. Diesel Max-Frame Z-Trak with 72 In. Side Discharge 7-Iron PRO Deck | 2   | \$ 20,344.00        | 23.00     | \$ 4,679.12        | \$ 15,664.88        | \$ 31,329.76            |                  |
| <b>Suggested Price</b>  |   |     |                     |           |                    |                     | <b>\$ 31,329.76</b>     |                  |
| <b>Total Selling Price</b>  |   |     | <b>\$ 20,344.00</b> |           | <b>\$ 4,679.12</b> | <b>\$ 15,664.88</b> | <b>\$ 31,329.76</b>     |                  |

Item 7B

| Tel-Trax UJD1200  |                   |     |                  |           |                 |                  |                         |
|---|-------------------|-----|------------------|-----------|-----------------|------------------|-------------------------|
| Hours: 0  |                   |     |                  |           |                 | Suggested List * |                         |
|   |                   |     |                  |           |                 | \$ 489.00        |                         |
|   |                   |     |                  |           |                 | Selling Price *  |                         |
|   |                   |     |                  |           |                 | \$ 489.00        |                         |
| * Price per item - includes Fees and Non-contract items |                   |     |                  |           |                 |                  |                         |
| Code  | Description       | Qty | List Price       | Discount% | Discount Amount | Contract Price   | Extended Contract Price |
| UJD120 0  | Canopy w/Brackets | 2   | \$ 489.00        | 0.00      | \$ 0.00         | \$ 489.00        | \$ 978.00               |
| <b>Suggested Price</b>                                  |                   |     |                  |           |                 |                  | <b>\$ 978.00</b>        |
| <b>Total Selling Price</b>                              |                   |     | <b>\$ 489.00</b> |           | <b>\$ 0.00</b>  | <b>\$ 489.00</b> | <b>\$ 978.00</b>        |

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**JOHN DEERE COMMERCIAL PRODUCTS**  
**COMMERCIAL ZERO-TURN-RADIUS MOWERS AND EQUIPMENT**

**997 Commercial L. C. Diesel Max-Frame Z-Trak with 72 In. Side Discharge 7-Iron PRO Deck**  
**Equipment for Base Machine**

|   |   |   |
|---|---|---|
| 31 Gross HP Yanmar Horizontal Shaft Direct Injected Liquid Cooled Diesel Engine (81 Cu. In.)<br>1.5 x 3.0 In. Steel Tubular Frame - 7 Gauge<br>Full Pressure Lubrication System With Replaceable Oil Filter<br>Heavy-Duty Canister Air Cleaner; Dual Element, Dry-Type with Safety Element and Air Service Indicator<br>12 Volt with 40 AMP Regulated Charge System<br>Dual Hydrostatic Wheel Drive<br>Kanzaki Dual Unitized Pump<br>Dual Wheel Parking Brake<br>Operator Presence System<br>Folding Two Post ROPS (Roll-Over Protective Structure) and Seat Belt | 60 In. 7-Iron PRO Commercial Side Discharge Mower Deck<br>7-Gauge Stamped Steel Mower Deck<br>8 In. Aluminum Spindle Housing<br>One-Touch Dial and Electric Deck Lift Height of Cut Adjustment<br>Full Floating Suspension Deck<br>1.5 - 5.0 In. Cutting Heights in 0.25 In. Increments<br>Dual Lever Direction/Speed Control<br>Quick-Service Hinged Foot Platform<br>Fully Enclosed Engine Compartment<br>Ergonomic Operator Contoured Soft Touch Grips and Integrated Handle Controls<br>11.5 MPH Mowing Speed<br>12 U.S. Gallon Fuel Capacity with Fuel Shutoff Valve | 26x12-12 In. Square Shoulder 4PR Turf Drive Tires<br>15x6-6 4PR Front Caster Tires<br>Right Hand Control Console Cluster<br>Cup & Tool Holder<br>Low Oil Pressure Warning Light<br>Battery Charge Light<br>Hydraulic PTO Clutch<br>Digital Hourmeter<br>Deluxe Comfort Seat with Armrests |
|---|---|---|

Item 7B

| CODE | ATTACHMENT IDENTIFIER | DESCRIPTION | SUGGESTED LIST PRICE USD (\$) |
|------|-----------------------|-------------|-------------------------------|
|------|-----------------------|-------------|-------------------------------|

Select One Code From Each Required Category

**BASE MACHINE**

*F.O.B. Raleigh, North Carolina*

|        |  |   |           |
|--------|--|---|-----------|
| 095BTC |  | 997 Commercial L. C. Diesel Max-Frame Z-Trak with 72 In. Side Discharge 7-Iron PRO Deck | 20,344.00 |
|--------|--|---|-----------|

**ATTACHMENTS - ORDER AS DESIRED**

|  |  |  |        |
|--|--|--|--------|
|  |  | <b>European CE Kit:</b><br>European CE 997 Z-Trak with 72 In. SD Mower Deck<br><i>This Code Must be Ordered to Receive a 997 Z-Trak Mower Which Meets CE Requirements.</i> | 248.00 |
|--|--|--|--------|

**ATTACHMENTS FOR FIELD CONVERSION**

|  |  |   |           |
|--|--|---|-----------|
|  |  | <b>Engine:</b><br>TCA19917 B20 Biodiesel Conversion Kit<br><i>This kit converts one machine to use B20 Diesel fuel.</i> | See Parts |
|  |  | <b>Miscellaneous:</b><br>TCA18513 Deluxe Comfort Seat with Armrest  | See Parts |
|  |  | TCB11281 Front Light (2) Kit  | 238.61    |
|  |  | DMB210226 Rear Bumper Kit   | 464.39    |
|  |  | TCB10915 Suspension Seat Kit  | 308.16    |
|  |  | TCB11711 X-Large E-Crate Cover  | See Parts |

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JOHN DEERE COMMERCIAL PRODUCTS  
 COMMERCIAL ZERO-TURN-RADIUS MOWERS AND EQUIPMENT

**997 Commercial L. C. Diesel Max-Frame Z-Trak with 72 In. Side Discharge 7-Iron PRO  
 Deck**  
 Continued

| CODE   | ATTACHMENT IDENTIFIER | DESCRIPTION  | SUGGESTED LIST PRICE USD (\$) |
|--|-----------------------|--|-------------------------------|
| <b>ATTACHMENTS FOR FIELD CONVERSION Continued...</b> |                       |  |                               |
|  |                       | <b>Mower Deck and Mower Deck Attachments:</b>  |                               |
|  | DMB210112             | Hydraulic Deck Lift<br><i>For Model Year '05 Machines Not Equipped with Standard Hydraulic Deck Lift.</i>    | 560.69                        |
|  | TCB10951              | Mulch Kit (72 In. 7-Iron, 7-Iron II and 7-Iron PRO)  | 331.70                        |
|  | TCB11231              | Roller Striping Kit for 72 In. Deck<br><i>For Model year '11 and Later (Serial # 060000-).</i>               | 439.77                        |
|  | TCB10811              | Roller Striping Kit for 72 In. Side Discharge Deck<br><i>For Model Year '10 and Prior Serial # -059999).</i> | 439.77                        |

Item 7B

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**State Term Contract No. 760-000-10-1; Construction, Industrial, Agricultural, & Lawn Equipment**

**Section 7.1, Price Sheet & Ordering Instructions**

**(REVISED: May 28, 2013)**

**NOTE TO ELIGIBLE USERS:** To fully use this document, you must maintain an active internet connection (high-speed recommended) and have the latest version of the Adobe Reader installed. If you need the free Adobe Reader, go to <http://www.adobe.com/>, click on the "Get Adobe Reader" icon, and follow the software's directions for installation and use. Printing this document will not automatically print any linked documents. To print any of the linked documents, you must individually open and print the linked documents.

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**KEY NOTE:** For additional information related to this document, please see the Key toward the bottom of this document.

**INDEX**

**INDEX NOTE:** For specific group information, please see the individual Group areas listed below the Index.

\*: Applicable Commodity Codes are provided for general information purposes only. Eligible Users must confirm the appropriate and applicable Commodity Code(s) to be used.

| GROUP        | APPLICABLE COMMODITY CODE(S)*   | GROUP DESCRIPTION   |
|--------------|---|---|
| Group No. 1  | 760-360   | CONSTRUCTION/INDUSTRIAL, MOTOR GRADER & MAINTAINER  |
| Group No. 2  | 760-840   | CONSTRUCTION/INDUSTRIAL, EXCAVATOR: CRAWLER/TRACK, WHEEL, & TRUCK MOUNTED   |
| Group No. 3  | 760-900   | CONSTRUCTION/INDUSTRIAL, DOZER: CRAWLER/TRACK & WHEEL   |
| Group No. 4  | 760-420   | CONSTRUCTION/INDUSTRIAL, LOADER: CRAWLER/TRACK  |
| Group No. 5  | 760-460   | CONSTRUCTION/INDUSTRIAL, LOADER: SKID STEER   |
| Group No. 6  | 760-480   | CONSTRUCTION/INDUSTRIAL, LOADER: WHEEL  |
| Group No. 7  | 760-960   | CONSTRUCTION/INDUSTRIAL, BACKHOE-LOADER: CRAWLER/TRACK & WHEEL  |
| Group No. 8  | 560-650   | FORKLIFT/TELESCOPIC HANDLER, RIDING TYPE (INCLUDING ROUGH TERRAIN)  |
| Group No. 9  | 765-900   | TRACTOR, AGRICULTURAL/SPECIALTY: CRAWLER/TRACK & WHEEL (INCLUDING 4WD)  |
| Group No. 10 | 765-900   | TRACTOR, UTILITY: CRAWLER/TRACK & WHEEL (EQUAL TO OR GREATER THAN 40 HP)  |
| Group No. 11 | 765-900   | TRACTOR, COMPACT UTILITY: CRAWLER/TRACK & WHEEL (LESS THAN 40 HP)   |
| Group No. 12 | 071-860   | UTILITY VEHICLE, OFF-ROAD: PASSENGER, CARGO, INDUSTRIAL, & TURF (NOT INCLUDING LOW-SPEED VEHICLE ("LSV") OR NEIGHBORHOOD ELECTRIC VEHICLE ("NEV"))  |
| Group No. 13 | 071-820   | ALL TERRAIN VEHICLE ("ATV")   |
| Group No. 14 | 071-840   | AMPHIBIOUS ALL TERRAIN VEHICLE ("AATV")   |
| Group No. 15 | 020-010, 020-030, 020-150, 020-360, 020-660, 020-670, 515-070, 515-140, 515-210, 515-280, 515-350, 515-490, 515-700, 515-770, 515-860, 765-430, 765-640, Etc. | ACCESSORY & IMPLEMENT, MOWER/TRACTOR/VEHICLE/EQUIPMENT MOUNTED OR TOWED: INCLUDING AERATOR, BACKHOE, BLOWER, BOX BLADE, CATCHER, CHIPPER/SHREDDER, DETHATCHER, DOZER BLADE, EDGER, GRINDER, LOADER, MATERIAL HANDLING (E.G., FORKS), MOWER/CUTTER (FINISHING, FLAIL, ROTARY, SICKLE, & REEL TYPES; BOOM MOUNTED OR PULL BEHIND), PAINTER, FLOW, POSTHOLE DIGGER, PULVERIZER, RAKE, SEEDER, SOD CUTTER, SPIKER, SPLITTER, SPRAYER, SPREADER, TILLER, TOPDRESSER, TRENCHER, TRIMMER, & VACUUM |
| Group No. 16 | 020-660, 515-070, 515-140, 515-210, 515-350, 515-490, 515-700, 515-770, 545-680, Etc.   | LAWN EQUIPMENT; STANDING, HAND-HELD, BACKPACK, & WALK/WORK-BEHIND: INCLUDING AERATOR, BLOWER, CHAIN SAW, CHIPPER/SHREDDER, EDGER, GRINDER, PAINTER, OVERSEEDER, RAKE, SEEDER, SOD CUTTER, TILLER, TOPDRESSER, TRIMMER, & VACUUM (NOT INCLUDING MOWER)   |
| Group No. 17 | 515-630   | MOWER, LAWN, WALK/STAND-BEHIND, OCCASIONAL/RESIDENTIAL TYPE   |
| Group No. 18 | 515-630   | MOWER, LAWN, WALK/STAND-BEHIND, PROFESSIONAL/COMMERCIAL TYPE  |
| Group No. 19 | 515-630   | MOWER/TRACTOR, LAWN, RIDING TYPE  |
| Group No. 20 | 515-630   | MOWER/TRACTOR, LAWN & GARDEN, RIDING TYPE   |
| Group No. 21 | 515-630   | MOWER, FRONT (REAR WHEEL STEERING), RIDING TYPE   |

STC No. 760-000-10-1; Construction, Industrial, Agricultural, Lawn Equipment

|              |         |   |
|--------------|---------|---|
| Group No. 22 | 515-630 | MOWER, ZERO TURN RADIUS, RIDING TYPE                        |
| Group No. 23 | 515-630 | MOWER, WIDE-AREA, RIDING TYPE                               |
| Group No. 24 | 515-900 | GOLF & TURF EQUIPMENT, OTHER (NOT INCLUDED IN OTHER GROUPS) |

| GROUP NO. 1: CONSTRUCTION/INDUSTRIAL, MOTOR GRADER & MAINTAINER                       |                           |                                 |  |  |   |  |
|---|---------------------------|---------------------------------|--|--|---|--|
| LINE NO.  | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>  | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS]   |
| 1   | Case                      | Trekker Tractor, LLC            | 37.00%   | 30.00%   | N/A   | Case 2012 - Authorized Price List.   |
| 2   | Caterpillar               | Ring Power Corporation          | 32.30%   | 34.00%   | N/A   | Caterpillar 2012 - Authorized Price List   |
| 3   | John Deere                | Nortrax Equipment Company SE LP | 41.76%   | 40.50%   | N/A   | Deere Construction 2013 - Authorized Price List  |
| 4   | LeeBoy                    | Ring Power Corporation          | 7.25%  | 11.00%   | N/A   | LeeBoy 2012 - Authorized Price List  |
| 5   | NOR/AM                    | Nortrax Equipment Company SE LP | 20.16%   | 19.00%   | N/A   | Noram 2013 - Authorized Price List   |
| GROUP NO. 2: CONSTRUCTION/INDUSTRIAL, EXCAVATOR, CRAWLER/TRACK, WHEEL & TRUCK MOUNTED |                           |                                 |  |  |   |  |
| LINE NO.  | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>  | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS]   |
| 1   | Bobcat                    | Bobcat Company                  | 30.00%   | 30.00%   | 0.00%   | Bobcat 2013 - Authorized Price List  |
| 2   | Case                      | Trekker Tractor, LLC            | 39.00%   | 30.00%   | N/A   | Case 2012 - Authorized Price List.   |
| 3   | Caterpillar               | Ring Power Corporation          | 19.50%   | 22.00%   | N/A   | Caterpillar 2012 - Authorized Price List   |
| 4   | Gradall                   | Gradall Industries, Inc.        | 4.00%  | 4.00%  | N/A   | Name: Excavator Pricing, SP-73, Date: April 26, 2012.<br>Sections: Highway Speed Wheeled Excavators; Rough Terrain Wheeled Excavators; Crawler Excavators; Options Pricing; Attachment Pricing |
| 5   | Hitachi                   | Nortrax Equipment Company SE LP | 17.50%   | 16.50%   | N/A   | Hitachi 2013 - Authorized Price List   |
| 6   | John Deere                | Nortrax Equipment Company SE LP | 45.28%   | 44.28%   | N/A   | Deere Construction 2013 - Authorized Price List  |
| 7   | Kobelco                   | G.S Equipment, Inc.             | 23.00%   | 12.50%   | N/A   | Kobelco 2012 - Authorized Price List to be Linked.   |
| 8   | Kubota                    | Triple D Equipment, Inc.        | 24.50%   | 15.00%   | 8.50%   | Kubota 2013 - Authorized Price List  |

| GROUP NO. 3: CONSTRUCTION/INDUSTRIAL, DOZER: CRAWLER/TRACK & WHEEL |                           |                                      |  |  |   |  |
|--|---------------------------|--------------------------------------|--|--|---|--|
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>       | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| 1  | Case                      | Trekker Tractor, LLC                 | 40.00%   | 30.00%   | N/A   | Case 2012 - Authorized Price List  |
| 2  | Caterpillar               | Ring Power Corporation               | 23.00%   | 26.00%   | N/A   | Caterpillar 2012 - Authorized Price List   |
| 3  | John Deere                | Nortrax Equipment Company SE LP      | 32.00%   | 30.00%   | N/A   | Deere Construction 2013 - Authorized Price List  |
| GROUP NO. 4: CONSTRUCTION/INDUSTRIAL, LOADER: CRAWLER/TRACK        |                           |                                      |  |  |   |  |
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>       | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| 1  | Bobcat                    | Bobcat Company                       | 30.00%   | 30.00%   | 0.00%   | Bobcat 2013 - Authorized Price List  |
| 2  | Case                      | Trekker Tractor, LLC                 | 32.00%   | 30.00%   | N/A   | Case 2012 - Authorized Price List  |
| 3  | Caterpillar               | Ring Power Corporation               | 18.00%   | 20.00%   | N/A   | Caterpillar 2012 - Authorized Price List   |
| 4  | John Deere                | John Deere Construction Retail Sales | 20.00%   | 20.00%   | N/A   | Deere Construction 2013 - Authorized Price List  |
| GROUP NO. 5: CONSTRUCTION/INDUSTRIAL, LOADER: SKID STEER           |                           |                                      |  |  |   |  |
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>       | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| 1  | Bobcat                    | Bobcat Company                       | 30.00%   | 30.00%   | 0.00%   | Bobcat 2013 - Authorized Price List  |
| 2  | Case                      | Trekker Tractor, LLC                 | 37.00%   | 30.00%   | N/A   | Case 2012 - Authorized Price List  |
| 3  | Caterpillar               | Ring Power Corporation               | 25.75%   | 28.00%   | N/A   | Caterpillar 2012 - Authorized Price List   |
| 4  | John Deere                | John Deere Construction Retail Sales | 28.00%   | 20.00%   | N/A   | Deere Construction 2013 - Authorized Price List  |

| GROUP NO. 6: CONSTRUCTION/INDUSTRIAL, LOADER: WHEEL                         |                           |                                  |  |  |   |  |
|---|---------------------------|----------------------------------|--|--|---|--|
| LINE NO.  | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>   | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| 1   | Case                      | Trekker Tractor, LLC             | 42.00%   | 35.00%   | N/A   | Case 2012 - Authorized Price List.   |
| 2   | Caterpillar               | Ring Power Corporation           | 23.50%   | 26.50%   | N/A   | Caterpillar 2012 - Authorized Price List   |
| 3   | John Deere                | Northrax Equipment Company SE LP | 40.00%   | 39.00%   | N/A   | Deere Construction 2013 - Authorized Price List  |
| 4   | Kawasaki                  | G S Equipment, Inc.              | 26.50%   | 12.50%   | N/A   | Kawasaki 2012 - Authorized Price List  |
| 5   | Kubota                    | Triple D Equipment, Inc.         | 20.10%   | 15.00%   | 8.50%   | Kubota 2013 - Authorized Price List  |
| GROUP NO. 7: CONSTRUCTION/INDUSTRIAL, BACKHOE-LOADER: CRAWLER/TRACK & WHEEL |                           |                                  |  |  |   |  |
| LINE NO.  | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>   | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| 1   | Case                      | Trekker Tractor, LLC             | 46.00%   | 35.00%   | N/A   | Case 2012 - Authorized Price List.   |
| 2   | Caterpillar               | Ring Power Corporation           | 25.00%   | 28.00%   | N/A   | Caterpillar 2012 - Authorized Price List   |
| 3   | John Deere                | Northrax Equipment Company SE LP | 41.00%   | 40.00%   | N/A   | Deere Construction 2013 - Authorized Price List  |
| 4   | Kubota                    | Triple D Equipment, Inc.         | 21.50%   | 15.00%   | 8.50%   | Kubota 2013 - Authorized Price List  |

| GROUP NO. 8: FORKLIFT/TELESCOPIC HANDLER, RIDING TYPE (INCLUDING ROUGH TERRAIN) |                           |  |  |  |   |  |
|---|---------------------------|--|--|--|---|--|
| LINE NO.  | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                               | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| 1   | Bobcat                    | Bobcat Company   | 24.00%   | 24.00%   | 0.00%   | Bobcat 2013 - Authorized Price List  |
| 2   | Case                      | Trekker Tractor, LLC   | 41.00%   | 30.00%   | N/A   | Case 2012 - Authorized Price List  |
| 3   | Caterpillar               | Ring Power Corporation                                       | 30.00%   | 33.00%   | N/A   | 2012 - Authorized Price List to be Linked  |
| 4   | Clark                     | Ring Power Corporation                                       | 17.00%   | 20.00%   | N/A   |  |
| 5   | Lifting                   | Ring Power Corporation                                       | 10.00%   | 14.00%   | N/A   | 2012 - Authorized Price List to be Linked  |
| 6   | Linde                     | Ring Power Corporation                                       | 27.00%   | 30.00%   | N/A   | 2012 - Authorized Price List to be Linked  |
| 7   | Manitou                   | Ring Power Corporation                                       | 12.60%   | 16.60%   | N/A   | 2012 - Authorized Price List to be Linked  |
| 8   | Mitsubishi                | Ring Power Corporation                                       | 29.00%   | 32.00%   | N/A   | 2012 - Authorized Price List to be Linked  |
| 9   | Nasco                     | Northrax Equipment Company SE LP                             | 2.00%  | 2.00%  | N/A   | Not Available  |
| 10  | New Holland               | CNH America LLC  | 24.00%   | 24.00%   | 0.00%   | New Holland 2012- Authorized Price List  |
| 11  | Nissan                    | Kelly Tractor Co.  | 30.00%   | 30.00%   | N/A   | Nissan 2012 - Authorized Price List  |
| 12  | Yale                      | ADM Ventures, Inc. dba Yale Lift Trucks of Florida & Georgia | 29.00%   | 15.00%   | 15.00%  | Yale 2012 - Authorized Price List  |

| GROUP NO. 9: TRACTOR, AGRICULTURAL/SPECIALTY: CRAWLER/TRACK & WHEEL (INCLUDING 4WD) |                           |  |  |  |   |  |
|---|---------------------------|--|--|--|---|--|
| LINE NO.  | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                     | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| 1   | Fecon                     | Ring Power Corporation   | 2.50%  | 5.00%  | N/A   | 2012 - Authorized Price List to be Linked  |
| 2   | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division) | 22.00%   | 22.00%   | N/A   | John Deere Agricultural 2013 - Authorized Price List   |
| 3   | Kubota                    | Triple D Equipment, Inc.   | 20.75%   | 15.00%   | 8.50%   | Kubota 2013 - Authorized Price List  |
| 4   | New Holland               | CNH America LLC  | 28.00%   | 28.00%   | 0.00%   | New Holland 2012- Authorized Price List  |

| GROUP NO. 10; TRACTOR, UTILITY: CRAWLER/TRACK & WHEEL (EQUAL TO OR GREATER THAN 40 HP) |                           |  |  |  |   |  |
|--|---------------------------|--|--|--|---|--|
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                       | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| 1  | Challenger                | Ring Power Corporation   | 16.36%   | 19.86%   | N/A   | Challenger 2012 - Authorized Price List  |
| 2  | Cub Cadet                 | Robinson Outdoors, Inc.  | 20.00%   | 10.00%   | 10.00%  | 2012 - Authorized Price List to be Linked  |
| 3  | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division)   | 14.00%   | 14.00%   | N/A   | John Deere 2013 - Authorized Price List_A2   |
| 4  | Kubota                    | Triple D Equipment, Inc.   | 20.75%   | 15.00%   | 8.50%   | Kubota 2013 - Authorized Price List  |
| 5  | New Holland               | CNH America LLC  | 21.00%   | 21.00%   | 0.00%   | New Holland 2012- Authorized Price List  |
| GROUP NO. 11; TRACTOR, COMPACT UTILITY: CRAWLER/TRACK & WHEEL (LESS THAN 40 HP)        |                           |  |  |  |   |  |
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                       | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| 1  | Cub Cadet                 | Robinson Outdoors, Inc.  | 20.00%   | 10.00%   | 10.00%  | 2012 - Authorized Price List to be Linked  |
| 2  | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division)   | 17.00%   | 17.00%   | N/A   | John Deere 2013 - Authorized Price List_C20.   |
| 3  | Kubota                    | Triple D Equipment, Inc.   | 20.75%   | 15.00%   | 8.50%   | Kubota 2013 - Authorized Price List  |
| 4  | New Holland               | CNH America LLC  | 21.00%   | 21.00%   | 0.00%   | New Holland 2012- Authorized Price List  |
| 5  | Ventrac                   | Gulf Coast Turf and Tractor LLC dba Gulf Coast Tractor and Equipment | 14.00%   | 8.00%  | 8.00%   | 2012 - Authorized Price List to be Linked  |

| GROUP NO. 12: UTILITY VEHICLE, OFF-ROAD, PASSENGER, CARGO, INDUSTRIAL, & TURF (NOT INCLUDING LOW-SPEED VEHICLE ("LSV") OR NEIGHBORHOOD ELECTRIC VEHICLE ("NEV")) |                           |  |  |  |   |  |
|--|---------------------------|--|--|--|---|--|
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                       | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> (INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS) |
| 1  | American SportWorks       | American SportWorks LLC  | 10.00%   | 10.00%   | 10.00%  | American SportWorks 2012 - Authorized Price List   |
| 2  | Bobcat                    | Bobcat Company   | 20.00%   | 20.00%   | 0.00%   | Bobcat 2013 - Authorized Price List  |
| 3  | Cub Cadet                 | Robinson Outdoors, Inc   | 20.00%   | 10.00%   | 10.00%  | 2012 - Authorized Price List to be Linked  |
| 4  | Gravely                   | Ariens Company - Gravely   | 15.00%   | 15.00%   | 10.00%  | Gravely 2013 - Authorized Price List   |
| 5  | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division)   | 14.00%   | 14.00%   | N/A   | John Deere 2013 - Authorized Price List C40, C41, C42, C47                                     |
| 6  | Kawasaki                  | Gulf Coast Turf and Tractor LLC dba Gulf Coast Tractor and Equipment | 10.00%   | 8.00%  | 8.00%   | Kawasaki 2012 - Authorized Price List  |
| 7  | Kubota                    | Triple D Equipment, Inc.   | 21.15%   | 15.00%   | 8.50%   | Kubota 2013 - Authorized Price List  |
| 8  | New Holland               | CNH America LLC  | 10.00%   | 10.00%   | 0.00%   | New Holland 2012 - Authorized Price List   |
| 9  | Toro                      | Wesco Turf, Inc.   | 21.00%   | 21.00%   | N/A   | Toro 2013 - Authorized Price List  |
| GROUP NO. 13: ALL TERRAIN VEHICLE ("ATV")  |                           |  |  |  |   |  |
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                       | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> (INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS) |

| GROUP NO. 14; AMPHIBIOUS ALL TERRAIN VEHICLE ("AATV")  |                           |  |  |  |  |  |
|--|---------------------------|--|--|--|--|--|
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                       | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%]  | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| GROUP NO. 15; ACCESSORY & IMPLEMENT, MOWER/TRACTOR/VEHICLE/EQUIPMENT MOUNTED OR TOWED: INCLUDING AERATOR, BACKHOE, BLOWER, BOX BLADE, CATCHER, CHIPPER/SHREDDER, DETHATCHER, DOZER BLADE, EDGER, GRINDER, LOADER, MATERIAL HANDLING (E.G., FORKS), MOWER/CUTTER (FINISHING, FLAIL, ROTARY, SICKLE, & REEL TYPES; BOOM MOUNTED OR PULL BEHIND), PAINTER, PLOW, POSTHOLE DIGGER, PULVERIZER, RAKE, SEEDER, SOD CUTTER, SPIKER, SPLITTER, SPRAYER, SPREADER, TILLER, TOPRESSER, TRENCHER, TRIMMER, & VACUUM |                           |  |  |  |  |  |
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                       | BASE EQUIPMENT MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%]                              | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |  |
| 1  | Alamo                     | Alamo Industrial dba Alamo Sales Corp.                               | 13.00%   | 10.00%   | Alamo Sales Corp 2013 - Authorized Price List  |  |
| 2  | American SportWorks       | American SportWorks LLC  | 10.00%   | 10.00%   | American SportWorks 2012 - Authorized Price List   |  |
| 3  | Bear Cat                  | Florida Outdoor Equipment, Inc.                                      | 15.00%   | N/A  | Bearcat 2013 - Authorized Price List   |  |
| 4  | Bobcat                    | Bobcat Company   | 24.00%   | 0.00%  | Bobcat 2013 - Authorized Price List  |  |
| 5  | Case                      | Trekker Tractor, LLC   | 20.00%   | N/A  | Case 2012 - Authorized Price List  |  |
| 6  | Caterpillar               | Ring Power Corporation   | 7.00%  | 9.00%  | 2012 - Authorized Price List to be Linked  |  |
| 7  | Challenger                | Ring Power Corporation   | 10.36%   | 10.36%   | 2012 - Authorized Price List to be Linked  |  |
| 8  | Cub Cadet                 | Robinson Outdoors, Inc   | 20.00%   | 10.00%   | 2012 - Authorized Price List to be Linked  |  |
| 9  | Diamond                   | Ring Power Corporation   | 2.00%  | 16.00%   | Diamond 2012 - Authorized Price List   |  |
| 10   | Dixie Chopper             | Magic Circle Corporation dba Dixie Chopper                           | 20.00%   | 12.00%   | Dixie Chopper 2013 - Authorized Price List   |  |
| 11   | Doosan                    | Kelly Tractor Co.  | 37.00%   | N/A  | 2012 - Authorized Price List to be Linked  |  |
| 12   | Eco-Crusher               | Nortrax Equipment Company SE LP                                      | 2.00%  | N/A  | Eco-Crusher Price Sheet Dated November, 2008   |  |
| 13   | Fecon                     | Ring Power Corporation   | 2.50%  | 5.00%  | 2012 - Authorized Price List to be Linked  |  |
| 14   | Ferris                    | Sario Power Mowers, Inc.   | 10.00%   | 5.00%  | 2012 - Authorized Price List to be Linked  |  |
| 15   | Goosen/Harper             | Golf Ventures  | 11.00%   | 0.00%  | 2012 - Authorized Price List to be Linked  |  |
| 16   | Grasshopper               | Live Oak Lawn Supply, Inc.   | 10.00%   | 5.00%  | Authorized Price List Link   |  |
| 17   | Gravely                   | Ariens Company - Gravely   | 18.00%   | 10.00%   | Gravely 2013 - Authorized Price List   |  |
| 18   | Honda                     | Gulf Coast Turf and Tractor LLC dba Gulf Coast Tractor and Equipment | 15.00%   | 8.00%  | 2012 - Authorized Price List to be Linked  |  |
| 19   | Jacobsen Golf & Turf      | Golf Ventures  | 24.00%   | 0.00%  | 2012 - Authorized Price List to be Linked  |  |
| 20   | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division)   | 18.00%   | N/A  | John Deere 2013 - Authorized Price List A9 - C25 - L35   |  |
| 21   | Kubota                    | Triple D Equipment, Inc.   | 15.00%   | 8.50%  | Kubota 2013 - Authorized Price List  |  |
| 22   | Land Pride                | Ring Power Corporation   | 26.85%   | 27.51%   | 2012 - Authorized Price List to be Linked  |  |
| 23   | LeeBoy                    | Ring Power Corporation   | 7.25%  | 11.00%   | 2012 - Authorized Price List to be Linked  |  |
| 24   | Liffling                  | Ring Power Corporation   | 10.00%   | 14.00%   | 2012 - Authorized Price List to be Linked  |  |
| 25   | New Holland               | CNH America LLC  | 13.00%   | 0.00%  | New Holland 2012 - Authorized Price List   |  |
| 26   | Nissan                    | Kelly Tractor Co.  | 30.00%   | N/A  | 2012 - Authorized Price List to be Linked  |  |
| 27   | Redexim                   | Golf Ventures  | 3.00%  | 0.00%  | 2012 - Authorized Price List to be Linked  |  |
| 28   | Scag                      | Florida Outdoor Equipment, Inc.                                      | 22.00%   | N/A  | Scag 2013 - Authorized Price List  |  |

|    |                  |  |  |        |        |   |
|----|------------------|--|--|--------|--------|---|
| 29 | Smithco          | Golf Ventures  |  | 17.00% | 0.00%  | 2012 - Authorized Price List to be Linked |
| 30 | Snapper Pro      | Sarto Power Mowers, Inc.   |  | 10.00% | 5.00%  | 2012 - Authorized Price List to be Linked |
| 31 | Toro             | Wesco Turf, Inc.   |  | 21.00% | N/A    | Toro 2013 - Authorized Price List         |
| 32 | Turfco           | Golf Ventures  |  | 11.00% | 0.00%  | 2012 - Authorized Price List to be Linked |
| 33 | Ventrac          | Gulf Coast Turf and Tractor LLC dba Gulf Coast Tractor and Equipment |  | 14.00% | 8.00%  | 2012 - Authorized Price List to be Linked |
| 34 | Vermeer Chippers | Ring Power Corporation   |  | 6.50%  | 10.00% | Vermeer 2012 - Authorized Price List      |
| 35 | Zanetis          | Notrax Equipment Company SE LP                                       |  | 14.00% | N/A    | 2012 - Authorized Price List to be Linked |

**GROUP NO. 16: LAWN EQUIPMENT: STANDING, HAND-HELD, BACKPACK, & WALK/WORK-BEHIND: INCLUDING AERATOR, BLOWER, CHAIN SAW, CHIPPER/SHREDDER, EDGER, GRINDER, PAINTER, OVERSEEDER, RAKE, SEEDER, SOD CUTTER, TILLER, TOPDRESSER, TRIMMER, & VACUUM (NOT INCLUDING MOWER)**

| LINE NO. | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                       | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> (INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS) |
|----------|---------------------------|--|--|--|---|--|
| 1        | Bear Cat                  | Florida Outdoor Equipment, Inc.                                      | 15.00%   | 15.00%   | N/A   | Bearcat 2013 - Authorized Price List   |
| 2        | Billy Goat                | Florida Outdoor Equipment, Inc.                                      | 20.00%   | 15.00%   | N/A   | Billy Goat 2013 - Authorized Price List  |
| 3        | Cub Cadet                 | Robinson Outdoors, Inc.  | 20.00%   | 10.00%   | 10.00%  | 2012 - Authorized Price List to be Linked  |
| 4        | Echo                      | Florida Outdoor Equipment, Inc.                                      | 20.00%   | 15.00%   | N/A   | Echo 2013 - Authorized Price List  |
| 5        | Gravely                   | Ariens Company - Gravely   | 22.00%   | 22.00%   | 10.00%  | Gravely 2013 - Authorized Price List   |
| 6        | Honda                     | Gulf Coast Turf and Tractor LLC dba Gulf Coast Tractor and Equipment | 15.00%   | 8.00%  | 8.00%   | 2012 - Authorized Price List to be Linked  |
| 7        | Kawasaki                  | Sarto Power Mowers, Inc.   | 5.00%  | 5.00%  | 5.00%   | 2012 - Authorized Price List to be Linked  |
| 8        | Sarlo                     | Sarto Power Mowers, Inc.   | 25.00%   | 10.00%   | 10.00%  | 2012 - Authorized Price List to be Linked  |
| 9        | Stihl                     | Stihl Southeast, Inc.  | 20.00%   | 10.00%   | 10.00%  | Stihl-2013- Authorized Price List  |

**GROUP NO. 17: MOWER, LAWN, WALK/STAND-BEHIND, OCCASIONAL/RESIDENTIAL TYPE**

| LINE NO. | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                       | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> (INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS) |
|----------|---------------------------|--|--|--|---|--|
| 1        | Cub Cadet                 | Robinson Outdoors, Inc.  | 20.00%   | 10.00%   | 10.00%  | 2012 - Authorized Price List to be Linked  |
| 2        | Gravely                   | Ariens Company - Gravely   | 22.00%   | 22.00%   | 10.00%  | Gravely 2013 - Authorized Price List Link  |
| 3        | Honda                     | Gulf Coast Turf and Tractor LLC dba Gulf Coast Tractor and Equipment | 15.00%   | 8.00%  | 8.00%   | 2012 - Authorized Price List to be Linked  |
| 4        | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division)   | 0.00%  | 0.00%  | N/A   | John Deere-2013 Authorized Price List_L15  |

| GROUP NO. 18: MOWER, LAWN, WALK/STAND-BEHIND, PROFESSIONAL/COMMERCIAL TYPE |                           |  |  |  |   |  |  |
|--|---------------------------|--|--|--|---|--|--|
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                     | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |  |
| 1  | Ferris                    | Sarlo Power Mowers, Inc.   | 10.00%   | 5.00%  | 5.00%   | 2012 - Authorized Price List to be Linked  |  |
| 2  | Gravely                   | Ariens Company - Gravely   | 22.00%   | 22.00%   | 10.00%  | Gravely 2013 - Authorized Price List   |  |
| 3  | Hustler Turf              | Excel Industries Inc. dba Hustler Turf Equipment                   | 22.00%   | 22.00%   | N/A   | Hustler 2012 - Authorized Price List   |  |
| 4  | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division) | 14.00%   | 14.00%   | N/A   | John Deere 2013 - Authorized Price List C10  |  |
| 5  | Sarlo                     | Sarlo Power Mowers, Inc.   | 25.00%   | 10.00%   | 10.00%  | 2012 - Authorized Price List to be Linked  |  |
| 6  | Scag                      | Florida Outdoor Equipment, Inc.                                    | 22.00%   | 15.00%   | N/A   | Scag 2013 - Authorized Price List  |  |
| 7  | Snapper Pro               | Sarlo Power Mowers, Inc.   | 10.00%   | 5.00%  | 5.00%   | 2012 - Authorized Price List to be Linked  |  |
| 8  | Toro                      | Wesco Turf, Inc.   | 23.00%   | 23.00%   | N/A   | Toro 2013 - Authorized Price List  |  |
| GROUP NO. 19: MOWER/TRACTOR, LAWN, RIDING TYPE                             |                           |  |  |  |   |  |  |
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                     | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |  |
| 1  | Cub Cadet                 | Robinson Outdoors, Inc.  | 20.00%   | 10.00%   | 10.00%  | 2012 - Authorized Price List to be Linked  |  |
| 2  | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division) | 15.00%   | 15.00%   | N/A   | John Deere 2013 - Authorized Price List L25 (X300's)   |  |
| 3  | Kubota                    | Triple D Equipment, Inc.   | 14.00%   | 10.00%   | 8.50%   | Kubota 2013 - Authorized Price List  |  |
| GROUP NO. 20: MOWER/TRACTOR, LAWN & GARDEN, RIDING TYPE                    |                           |  |  |  |   |  |  |
| LINE NO.   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                     | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |  |
| 1  | Cub Cadet                 | Robinson Outdoors, Inc.  | 20.00%   | 10.00%   | 10.00%  | 2012 - Authorized Price List to be Linked  |  |
| 2  | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division) | 18.00%   | 18.00%   | N/A   | John Deere 2013 Authorized Price List- 30  |  |
| 3  | Kubota                    | Triple D Equipment, Inc.   | 12.00%   | 10.00%   | 8.50%   | Kubota 2013 - Authorized Price List  |  |

| GROUP NO. 21; MOWER, FRONT (REAR WHEEL STEERING), RIDING TYPE |                           |  |  |  |   |  |
|---|---------------------------|--|--|--|---|--|
| LINE NO   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                     | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS]   |
| 1   | Ferris                    | Sarto Power Mowers, Inc.   | 10.00%   | 5.00%  | 5.00%   | 2012 - Authorized Price List to be Linked  |
| 2   | Gravely                   | Ariens Company - Gravely   | 22.00%   | 22.00%   | 10.00%  | Discontinued   |
| 3   | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division) | 23.00%   | 23.00%   | N/A   | John Deere 2013 - Authorized Price List C15  |
| 4   | New Holland               | CNH America LLC  | 27.00%   | 27.00%   | 0.00%   | 2012 - Authorized Price List to be Linked  |
| 5   | Scag                      | Florida Outdoor Equipment, Inc.                                    | 22.00%   | 15.00%   | N/A   | Discontinued   |
| 6   | Snapper Pro               | Sarto Power Mowers, Inc.   | 10.00%   | 5.00%  | 5.00%   | 2012 - Authorized Price List to be Linked  |
| 7   | Toro                      | Wesco Turf, Inc.   | 21.00%   | 21.00%   | N/A   | Toro 2013 - Authorized Price List  |
| GROUP NO. 22; MOWER, ZERO TURN RADIUS, RIDING TYPE            |                           |  |  |  |   |  |
| LINE NO   | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                     | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS]   |
| 1   | Cub Cadet                 | Robinson Outdoors, Inc.  | 20.00%   | 10.00%   | 10.00%  | 2012 - Authorized Price List to be Linked  |
| 2   | Dixie Chopper             | Magic Circle Corporation dba Dixie Chopper                         | 20.00%   | 12.00%   | 12.00%  | Dixie Chopper 2013 - Authorized Price List   |
| 3   | Ferris                    | Sarto Power Mowers, Inc.   | 10.00%   | 5.00%  | 5.00%   | 2012 - Authorized Price List to be Linked  |
| 4   | Grasshopper               | Live Oak Lawn Supply, Inc.   | 24.00%   | 10.00%   | 5.00%   | Authorized Price List Link   |
| 5   | Gravely                   | Ariens Company - Gravely   | 22.00%   | 22.00%   | 10.00%  | Gravely 2013 - Authorized Price List   |
| 6   | Hustler Turf              | Excel Industries Inc. dba Hustler Turf Equipment                   | 22% (ZEON: 28.58% SPORT: 10%)                      | 22.00%   | N/A   | 12/20/11 - All base equipment, accessories, implements MSRP discount 22%. Exception: ZEON base equipment 28.58% MSRP discount. SPORT base equipment 10% MSRP discount. - Authorized Price List |
| 7   | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division) | 23.00%   | 23.00%   | N/A   | John Deere 2013 - Authorized Price List C13  |
| 8   | Kubota                    | Triple D Equipment, Inc.   | 23.75%   | 15.00%   | 8.50%   | Kubota 2013 - Authorized Price List  |
| 9   | New Holland               | CNH America LLC  | 25.00%   | 25.00%   | 0.00%   | 2012 - Authorized Price List to be Linked  |
| 10  | Scag                      | Florida Outdoor Equipment, Inc.                                    | 22.00%   | 15.00%   | N/A   | Scag 2013 - Authorized Price List  |
| 11  | Snapper Pro               | Sarto Power Mowers, Inc.   | 10.00%   | 5.00%  | 5.00%   | 2012 - Authorized Price List to be Linked  |
| 12  | Toro                      | Wesco Turf, Inc.   | 31.00%   | 31.00%   | N/A   | Toro 2013 - Authorized Price List  |

| GROUP NO. 23; MOWER, WIDE-AREA, RIDING TYPE                               |                           |  |  |  |   |  |
|---|---------------------------|--|--|--|---|--|
| LINE NO.  | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                     | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| 1   | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division) | 23.00%   | 23.00%   | N/A   | John Deere 2013 - Authorized Price List_C18  |
| GROUP NO. 24; GOLF & TURF EQUIPMENT, OTHER (NOT INCLUDED IN OTHER GROUPS) |                           |  |  |  |   |  |
| LINE NO.  | MANUFACTURER / BRAND NAME | ORGANIZATION NAME <sup>1</sup>                                     | BASE EQUIPMENT MSRP DISCOUNT <sup>2</sup> [##.##%] | OEM OPTIONS, ACCESSORIES, & IMPLEMENTS MSRP DISCOUNT <sup>3</sup> [##.##%] | OEM PARTS MSRP DISCOUNT <sup>4</sup> [##.##%] | MSRP LIST <sup>5</sup> [INCLUDE: MSRP LIST NAME, MSRP LIST DATE, & MSRP LIST PAGES / SECTIONS] |
| 1   | Gravelly                  | Ariens Company - Gravelly  | 18.00%   | 18.00%   | 10.00%  | Discontinued   |
| 2   | Hustler Turf              | Excel Industries inc. dba Hustler Turf Equipment                   | 22.00%   | 22.00%   | N/A   | Hustler 2012 - Authorized Price List   |
| 3   | Jacobsen Golf & Turf      | Golf Ventures  | 24.00%   | 5.00%  | 0.00%   | 2012 - Authorized Price List to be Linked  |
| 4   | John Deere                | John Deere Company - A Division of Deere & Company (C&CE Division) | 22.00%   | 22.00%   | N/A   | John Deere 2013 - Authorized Price List_G10_G15_G30_G25  |
| 5   | Smithco                   | Golf Ventures  | 17.00%   | 5.00%  | 0.00%   | 2012 - Authorized Price List to be Linked  |
| 6   | Toro                      | Wesco Turf, Inc.   | 15.00%   | 15.00%   | N/A   | Toro 2013 - Authorized Price List  |

**KEY:**

- 1 - Organization Name: The Organization Name is the name of the Respondent's organization. Upon Contract Formation, Section 2.17, if awarded, the Organization Name will be the name of the awarded Contractor and a link will be made to the appropriate Ordering Instructions. Once available, click on the specific link for the associated Ordering Instructions.
- 2 - Base Equipment MSRP Discount [##.##%]: The Base Equipment MSRP Discount is the statewide discount used to obtain the individual Net Equipment Price (per Section 5.6, Ceiling Prices).
- 3 - OEM Options, Accessories, & Implements MSRP Discount [##.##%]: The OEM Options, Accessories, & Implements MSRP Discount is the statewide discount used to obtain the individual Net OEM Options, Accessories, & Implements Price (per Section 5.6, Ceiling Prices).
- 4 - OEM Parts MSRP Discount [##.##%]: The OEM Parts MSRP Discount is the statewide discount used to obtain the individual Net OEM Parts Price (per Section 5.6, Ceiling Prices).
- 5 - MSRP List [Include: MSRP List Name, MSRP List Date, & MSRP List Pages / Sections]: The MSRP List is the list of Department approved Commodities and associated MSRPs available under the Contract, if awarded. Upon Contract Formation, Section 2.17, if awarded, the MSRP List will be the that of the awarded Contractor and a link will be made to the appropriate MSRP List. Once available, click on the specific link for the associated MSRP List.



## AGENDA MEMO

**TO:** Mayor & City Commission **AGENDA DATE:** 7/15/2013  
**FROM:** William D. Denny, Acting City Manager **AGENDA ITEM:** 8 - A  
**SUBJECT:** Resolution 2013-25, 2013 Volusia County Floodplain Management Plan.

**LOCATION:**

Citywide

**BACKGROUND:**

The City of Deltona has actively participated in efforts to improve floodplain management throughout the City. Through the years, it has engaged consultants to perform basin studies and provide data to update FEMA flood maps, adopted policies and maps that provide guidance to steer development away from the 100-year floodplain, met with FEMA and the State of Florida to begin the Community Rating System (CRS) process, and participated in Volusia County's 2013 Floodplain Management Plan (FMP) through the East Central Florida Regional Planning Council (ECFRPC) for the County and its cities. The FMP was completed under the attached Scope of Services between the ECFRPC and Volusia County at no cost to the City.

The FMP is a snapshot of floodplain hazards and provides separate jurisdictional plans developed as the appendices of the main plan. The design promotes a unified and regional approach to mitigation and planning efforts, due to the fact that floodplains and natural features typically do not follow political boundaries. The FMP is integrated with the Volusia County Local Mitigation Strategy (LMS), which provides an analysis of hazards and mitigation strategies setting up a CRS (see Appendix A for this analysis included on separate disc due to document size). The CRS is based on a community's FMP and provides an opportunity for policy holders to receive reduced flood insurance premiums in those communities that meet certain requirements. Being included in the County's 2013 FMP performed by the ECFRPC further strengthens the City's potential to achieve its own CRS.

Finally, this FMP is part of FEMA's National Flood Insurance Program (NFIP) that provides federally supported

flood insurance to communities that regulate development in or near floodplains. The goal is to achieve a Preferred Risk Policy (PRP) rate for a community that lowers premiums. As oversight, the FMP was developed with and will be annually updated with input from the Volusia County Local Mitigation Strategy Steering Committee, Volusia Prepares, and the Volusia County Growth and Resource Management and Public Works Departments. On June 13, 2012, the Volusia Prepares Steering Committee voted unanimously to incorporate the FMP into the Volusia County portion of the Local Mitigation Strategy.

**ORIGINATING DEPARTMENT:**

Planning and Development Services

**SOURCE OF FUNDS:**

N/A

**COST:**

N/A

**REVIEWED BY:**

City Attorney, Finance Director, Planning Director

**STAFF RECOMMENDATION PRESENTED BY:**

Ron Paradise, Assistant Director - Staff recommends that the City adopt Resolution No. 2013-25 for adoption of the 2013 Volusia County Floodplain Management Plan.

**POTENTIAL MOTION:**

"I hereby move to approve Resolution No. 2013-25 for adoption of the 2013 Volusia County Floodplain Management Plan."

**AGENDA ITEM APPROVED BY:**

---

William D. Denny, Acting City Manager

**ATTACHMENTS:**

- Resolution No. 2013-25
- ECFRPC Scope of Services for FMP

**RESOLUTION NO. 2013-25****A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, FOR THE ADOPTION OF THE 2013 VOLUSIA COUNTY FLOODPLAIN MANAGEMENT PLAN; PROVIDING FOR AN EFFECTIVE DATE.**

---

**WHEREAS**, coastal and riverine flooding events are significant threats to the safety of residents of Volusia County and its municipalities; and

**WHEREAS**, the National Flood Insurance Program (NFIP) provides federally supported flood insurance in communities that regulate development in floodplains; and

**WHEREAS**, the Community Rating System (CRS) grades the various community floodplain management programs and can reduce flood insurance premiums in those communities that meet certain requirements; and

**WHEREAS**, in an effort to reduce the potential for personal/property losses in flood-prone areas on a Countywide basis that includes the City of Deltona and to attain the lowest possible flood insurance premiums for residents; and

**WHEREAS**, the adoption of the 2013 Volusia County Floodplain Management Plan is in alignment with the federal CRS Guidelines and can be integrated into the Local Mitigation Strategy that supports this effort; and

**WHEREAS**, as adoption of a Floodplain Management Plan (FMP) is a requirement of the Community Rating System; and

**WHEREAS**, the City Commission hereby considers the 2013 Volusia County Floodplain Management Plan to be of importance to the citizens of Deltona and to establish a City of Deltona Community Rating System in the future; and

**WHEREAS**, the 2013 Volusia County Floodplain Management Plan is consistent with floodplain policies of the City of Deltona to further federal and state goals to quantify and support floodplain management efforts.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, TO ADOPT THE 2013 VOLUSIA COUNTY FLOODPLAIN MANAGEMENT PLAN.**

City of Deltona, Florida  
Resolution No. 2013-25  
Page 2 of 2

**ADOPTED BY** the City Commission of the City of Deltona, Florida this 15th day of July, 2013.

---

JOHN C. MASIARCZYK, SR., MAYOR

ATTEST:

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JOYCE RAFTERY, City Clerk

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

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GRETCHEN R. H. VOSE, City Attorney



Celebrating 50 Years

## Quote for Services: Volusia County Flood Management Plan (FMP) Development and Local Mitigation Strategy (LMS) Integration

By  
East Central Florida Regional Planning Council (ECFRPC)

### **A. OVERVIEW**

This Scope of Services provides how the Emergency Preparedness Section at the ECFRPC will furnish the necessary personnel, materials, and services to provide assistance to Volusia County, Florida, and the Volusia County Local Mitigation Steering Committee for the creation and integration of municipal and county Floodplain Management Plans (FMP) into the Volusia County Local Mitigation Strategy (LMS) *“Volusia Prepares.”*

### **B. TASKS**

The following activities will be completed under this agreement.

- 1) Review Floodplain Management Plan/Local Mitigation Strategy integration procedures and guidance and identify the data and methods for strengthening the current LMS. Identify elements that go beyond the minimum requirements for incorporation into the LMS.
- 2) Identify those communities that have stand-alone FMPs to integrate into the LMS. Review the “Methods of Plan Integration” section nested in Part II of the document “Recommended Integration Practices: Strengthening the Floodplain Management Plan portions of the Local Mitigation Strategy” dated August 2011.
- 3) For communities using the LMS as their FMP, review the “Collecting Local Flood Data”, “Maintaining Local Flood Data”, and “Analyzing Local Flood Data” sections of the “Recommended Integration Practices: Strengthening the Floodplain Management Plan portions of the Local Mitigation Strategy” dated August 2011.
- 4) Facilitate all planning meetings with Volusia County and its municipalities.
- 5) Develop Floodplain Management Plans (FMPs) to strengthen the LMS based on Community Rating System (CRS) guidance and the State Division of Emergency Management document referenced in Task 3.

### **C. PROJECT COSTS**

Project Deadline:                      **April 30<sup>th</sup>, 2013**

Total Lump Sum Project Cost:    \$38,503.00

\*Project cost is inclusive of planning, travel, printing, and materials necessary to develop and deliver all tasks.

\*Project costs is a total lump sum amount and non-reimbursable.



*Celebrating 50 Years*

**Planners assigned to the project:**

Tim Kitchen – *Primary Point of Contact* tkitchen@ecfrpc.org

Tara McCue – Tara@ecfrpc.org

Kate Hardie – Kate@ecfrpc.org

Chris Chagdes – cchagdes@ecfrpc.org

Gina Marchica – gmarchica@ecfrpc.org

**D. DELIVERABLES**

- 1) Up to 16 Standalone Municipal Floodplain Management Plans – March 31, 2013
- 2) FMP/LMS integration – April 30, 2013

DRAFT



## AGENDA MEMO

**TO:** Mayor & City Commission **AGENDA DATE:** 7/15/2013  
**FROM:** William D. Denny, Acting City Manager **AGENDA ITEM:** 8 - B  
**SUBJECT:** Ordinance No. 11-2013, Provision for Non-Profit Organization Flea Markets.

**LOCATION:**

Citywide

**BACKGROUND:**

The City of Deltona received requests from non-profit organizations in the past to allow for flea markets as a potential revenue source and to become more sustainable. Ordinance No. 11-2013 is provided as a method to address that request, which permits non-profit organizations with the ability to conduct up to two (2) flea markets per year, similar to that afforded to residential homeowners conducting garage sales.

Specifically, Ordinance No. 11-2013 would amend Chapter 22, "Businesses," Article V, "Garage Sales," Section 155, "Flea Markets" (a.k.a. Section 22-155) of the City's Code of Ordinances, as follows:

***Sec. 22-155. – Flea Markets.*** *Flea Markets are prohibited within the city limits. It shall be unlawful to conduct, promote, or otherwise engage in operating a flea market within the municipal boundaries of the city. This section is not intended to apply to either a homeowner's garage sale or to a flea market by a non-profit organization, if no more than two such garage sales or two such flea markets are held in any ~~12-month period~~ calendar year and each lasts no longer than three consecutive days.*

**ORIGINATING DEPARTMENT:**

Planning and Development Services

**SOURCE OF FUNDS:**

N/A

**COST:**

N/A

**REVIEWED BY:**

City Attorney, Finance Director, Planning Director

**STAFF  
RECOMMENDATION  
PRESENTED BY:**

Presented by: Becky Vose, Esq., City Attorney. Staff recommends that the City Commission approve Ordinance No. 11-2013, at first reading, that amends Chapter 22, Businesses, Article V, Garage Sales, and Section 155, Flea Markets, to permit non-profit organizations to have up to two (2) flea markets per year.

**POTENTIAL  
MOTION:**

"I hereby move to approve Ordinance No. 11-2013, at first reading, that amends Chapter 22, Businesses, Article V, Garage Sales, and Section 155, Flea Markets, to permit non-profit organizations to have up to two (2) flea markets per year."

**AGENDA ITEM  
APPROVED BY:**

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William D. Denny, Acting City  
Manager

**ATTACHMENTS:**

- Ordinance No. 11-2013

**ORDINANCE NO. 11– 2013**

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING CHAPTER 22, “BUSINESSES,” ARTICLE V, “GARAGE SALES,” SECTION 155, “FLEA MARKETS,” TO PERMIT NON-PROFIT ORGANIZATIONS TO HAVE TWO FLEA MARKETS PER CALENDAR YEAR, PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.**

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

**SECTION 1.** Chapter 22, “Businesses,” Article V, “Garage Sales,” Section 155, “Flea Markets” of the Code of Ordinances of the City of Deltona, is hereby amended by revising Section 22-155 to read, as follows:

**Sec. 22-155. – Flea Markets.**

Flea Markets are prohibited within the city limits. It shall be unlawful to conduct, promote, or otherwise engage in operating a flea market within the municipal boundaries of the city. This section is not intended to apply to either a homeowner’s garage sale or to a flea market by a non-profit organization, if no more than two such garage sales or two such flea markets are held in any ~~12-month period~~ calendar year and each lasts no longer than three consecutive days.

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

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

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

City of Deltona  
Ordinance No. 11-2013  
Page 2 of 2

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

**PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

**FIRST READING:** \_\_\_\_\_

**ADVERTISED:** \_\_\_\_\_

**SECOND READING:** \_\_\_\_\_

\_\_\_\_\_  
**JOHN C. MASIARCZYK SR., MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JOYCE RAFTERY, CMC, CITY CLERK**

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

\_\_\_\_\_  
**GRETCHEN R. H. VOSE, CITY ATTORNEY**



## AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 7/15/2013

**FROM:** William D. Denny, Acting City Manager                      **AGENDA ITEM:** 8 - C

**SUBJECT:** Ordinance No. 20-2012, Revising Section 14-2 and 14-3 regarding public nuisance animals and prohibited animals; Adding Article VII, "Responsible Pet Ownership and Licensing Standards", to Chapter 14, "Animals", of the City's Code of Ordinances, at first reading and to schedule second and final reading on August 5, 2013.

|   |  |
|---|--|
| <b>LOCATION:</b>                          | Citywide   |
| <b>BACKGROUND:</b>                        | This is a re-write of the previously read "spay and neuter" ordinance. Because of the change in the title, it must go through first reading again. This ordinance provides an additional exception to the requirement for spaying or neutering for those dogs and cats that have not been cited by code enforcement, and that are not allowed to run at large. |
| <b>ORIGINATING DEPARTMENT:</b>            | City Attorney's Office   |
| <b>SOURCE OF FUNDS:</b>                   | N/A  |
| <b>COST:</b>                              | N/A  |
| <b>REVIEWED BY:</b>                       | City Attorney  |
| <b>STAFF RECOMMENDATION PRESENTED BY:</b> | Becky Vose, City Attorney - That the Commission approve Ordinance No. 20-2012 at first reading and to schedule second and final reading for August 5, 2013.  |
| <b>POTENTIAL MOTION:</b>                  | "I move to approve Ordinance No. 20-2012 at first reading and to schedule second and final reading for August 5, 2013."  |
| <b>AGENDA ITEM</b>                        |  |

**APPROVED BY:**

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William D. Denny, Acting City  
Manager

**ATTACHMENTS:**

- Ordinance No. 20-2013

**ORDINANCE NO. 20- 2012**

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, REVISING SECTION 14-2 AND 14-3 REGARDING PUBLIC NUISANCE ANIMALS AND PROHIBITED ANIMALS; ADDING ARTICLE VII, "RESPONSIBLE PET OWNERSHIP AND LICENSING STANDARDS," TO CHAPTER 14, "ANIMALS," OF THE CODE OF ORDINANCES OF THE CITY OF DELTONA; PROVIDING EXCEPTIONS, PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.**

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**WHEREAS,** The City of Deltona has determined that the unintended or uncontrolled breeding of dogs and cats within the city leads to many dogs, cats, puppies, and kittens being unwanted, becoming strays, suffering privation and death, being impounded and euthanized at great expense to the community, and constituting a public nuisance and public health hazard; and

**WHEREAS,** The City of Deltona declares that every feasible means of reducing the number of unwanted dogs, cats, puppies, and kittens be encouraged; and

**WHEREAS,** the City of Deltona has spent approximately \$130,000 this year to impound (resulting in euthanasia) stray animals including feral cats; and

**WHEREAS,** City of Deltona Code Enforcement officers spend approximately 1200 hours a year primarily dealing with feral cats which results in the euthanasia of approximately 939 feral cats from Deltona in 2011; and

**WHEREAS,** the time of the City of Deltona Code Enforcement officers would be better spent otherwise enforcing the codes of the City of Deltona; and

**WHEREAS,** the City of Deltona has provided Deltona residents with low cost spay and neuter alternatives through Halifax Humane Society; and

**WHEREAS,** it is the intent of this ordinance to ultimately greatly reduce the number of unwanted dogs and cats in Deltona by spaying and neutering dogs, cats and feral cats, and to reduce expenditures by the City of Deltona through the implementation of this ordinance.

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

**SECTION 1.** Chapter 14, “*Animals*”, of the Code of Ordinances of the City of Deltona is hereby amended by amending Section 14-2, “Public Nuisance Animals” to read as follows:

**Sec. 14-2. - Public nuisance animals.**

It is unlawful for a person to permit animals to become a public nuisance. An animal shall be declared a public nuisance animal if such animal:

- (1) Is repeatedly found at large, unless such animal is a cat or kitten that has been spayed or neutered with notched ear for identification purposes;
- (2) Repeatedly damages the property of anyone other than its owner;
- (3) Is vicious;
- (4) Causes offensive odors, which disturb the comfort, peace or repose of any person residing in the vicinity;
- (5) Is on property in such numbers as exceeds the number limits placed on animals in this chapter;
- (6) Barks, chirps, howls, meows, or makes other such prolonged and disturbing noises which interfere with the peace and quietude of the neighboring property when such noises continue for periods longer than 15 minutes;
- (7) Harasses passersby or passing vehicles;
- (8) Has attacked other domestic animals;
- (9) Has been designated by the animal control officer to be a public nuisance animal, by virtue of being a menace to public health, welfare or safety; or
- (10) Has otherwise been determined to be a stray dog.

This section is not intended to apply to dogs that are considered "dangerous dogs" pursuant to the definition in section 14-1 of this chapter.

**SECTION 2.** Chapter 14, “*Animals*”, of the Code of Ordinances of the City of Deltona is hereby amended by creating Article VII, “Responsible Pet Ownership and Licensing Standards” to read as follows:

**ARTICLE VII. RESPONSIBLE PET OWNERSHIP AND LICENSING STANDARDS.**

Sec. 14-275. Requirement.

No person may harbor a dog or cat six months of age or older within the City of Deltona that has not been spayed or neutered unless such person holds an unaltered animal permit for each unaltered dog or cat, unless the dog or cat is otherwise exempt under this section. The animal control officer shall be responsible for the issuance of unaltered animal permits. Such permits shall be in addition to the license required under Section 14-141 of this Code.

Sec. 14-276. Unaltered animal permit.

An owner of an unaltered dog or cat shall qualify for an unaltered animal permit upon the payment of a \$25 permit fee only if one of the following is satisfied:

(a) *Shows and competitions.* The dog or cat is used to show, to compete or to breed, and is of a breed recognized by and registered with the American Kennel Club (AKC), United Kennel Club (UKC), American Dog Breeders Association (ADBA), Cat Fanciers' Association (CFA), or other bona fide registry and meets one of the following requirements:

(i) The dog or cat has competed in at least one show or sporting competition sanctioned by a bona fide national registry within the last 365 days;

(ii) The dog earned conformation, obedience, agility, carting, herding, hunting, protection, rally, sporting, working or other title from a purebred dog registry, referenced above, or other registry or dog sport association;  
or

(iii) The owner of the dog or cat is a member of, and the dog or cat is registered with, a bona fide purebred dog breed club or cat fancier's association, which maintains and enforces a code of ethics for dog or cat breeding that includes restrictions from breeding dogs or cats with genetic defects and life threatening health problems that commonly threaten the breed, or

(iv) The owner signs a statement under oath attesting that the dog or cat is being trained to comply with subsections (i) or (ii) above.

(b) *Medical fitness.* A veterinarian licensed in the State of Florida certifies in writing that a dog or cat is medically unfit to undergo the required spay or neuter procedure because of a medical condition, including but not limited to age, and such condition would be substantially aggravated by the procedure, or the procedure would likely result in the death of the dog or cat. The certification must state the date, if any, by which the dog or cat may be spayed or neutered. As soon as the medical condition that

prevents a dog or cat from being spayed or neutered ceases to exist, it shall be the duty of the owner to have it spayed or neutered within 30 days.

(c) *Law enforcement.* The dog is currently used by a law enforcement agency for law enforcement purposes or is part of a bona fide law enforcement animal breeding program.

(d) *Service animals.* A dog or cat that is a service animal as defined in F.S. § 413.08, or is part of a bona fide service animal breeding program.

(e) *Breeders.* The owner demonstrates to the animal control officer proof of a breeding contract for a particular dog or cat, membership in a bona fide national, state or local organization for the perpetuation of a given breed of dog or cat or proof of a litter produced by breeding of the dog or cat within the last 365 days.

(f) *Hunting and herding dogs.* The dog is currently used as, or trained to be, a hunting or herding dog and the dog is registered with a bona fide national, state or local hunting or herding dog association. Alternatively, the owner of the dog signs a statement under oath attesting that the dog is used, trained, or will be trained to be a hunting or herding dog. None of the aforementioned qualifications shall be construed to authorize the breeding or harboring of dogs or cats in violation of the Zoning Code of the City of Deltona, or exempt the owner or his dog or cat from any other provision of this chapter.

(g) *Never found in violation.* The dog or cat has never been found in violation of this Code Chapter, and such dog or cat will not be permitted to run at large, as defined in section 14-121, or to violate section 14-8, relating to keeping under restraint. At the time of applying for an unaltered animal permit, the owner must sign an affidavit stating that he or she will ensure that their dog or cat will not run at large as defined in section 14.121, or violate section 14-8, relating to keeping under restraint, and that if their dog or cat is found in violation of either of those ordinance sections, the owner agrees to have the dog or cat spayed or neutered as applicable.

Sec. 14-277. Deadline.

A dog or cat governed by this section shall be spayed or neutered by its owner or, if eligible, the owner shall obtain an unaltered animal permit within 30 days of the dog or cat becoming six months of age or, in the case of an owner who acquired a dog or cat after it becoming six months of age, 30 days after acquisition.

Sec. 14-278. Microchipping.

As a condition to obtaining an unaltered animal permit, an eligible dog or cat must be implanted with an identifying microchip and the owner must provide the microchip number to the animal control officer.

City of Deltona, Florida  
Ordinance No. 20-2013  
Page 5 of 7

Sec. 14-279. Place of residence.

The address of the owner, (or the address of the caregiver of the dog or cat, if different from the address of the owner), shall be presumed to be the residence of the dog or cat. All changes of address must be reported to the animal control officer within 30 calendar days following such change.

Sec. 14-280. Change in ownership or residence.

A permit holder shall notify the animal control officer and the national registry applicable to the implanted microchip in writing of any change in ownership or residence of a dog or cat within 30 calendar days of the change.

Sec. 14-281. Term of permit.

An unaltered animal permit shall be valid for the life of the dog or cat.

Sec. 14-282. Revocation.

Upon receipt of information of violation of this section, the animal control officer may issue a notice of revocation to a permit holder. The notice of revocation shall provide a summary of the information of the violation and shall be sent by certified mail, return receipt requested, by hand delivery by the sheriff, or animal control officer, or upon posting of the property at the address listed in the permit application. Any request for hearing shall be filed by the permit holder with the animal control officer within ten days after the permit holder's receipt of said notice, and the owner shall pay \$125.00 to appeal the case to the Special Master. The permit holder shall set forth the reasons why the permit holder believes the revocation would be an error. Failure to timely request a hearing shall render the revocation final. All hearings shall be conducted by the special master within 30 days after the receipt of a request for hearing. The original of the special master's written decision shall be filed with the animal control officer, and copies shall be mailed to the permit holder.

Sec. 14-283. Penalty.

Any person who violates any provision of this section is subject to the enforcement procedures of section 14-39 and penalties prescribed in sections 14-6 and 14-64. These penalties shall not preclude the issuance of a notice of revocation to a holder of an unaltered animal permit for violations of this section.

Sec. 14-284. Exemptions.

A dog or cat that meets the following criteria shall be exempt from this section and not be required to obtain an unaltered animal permit:

City of Deltona, Florida  
 Ordinance No. 20-2013  
 Page 6 of 7

(a) A dog or cat temporarily harbored within the city limits of the City of Deltona for less than thirty (30) days within any calendar year.

(b) The dog or cat is being harbored by a lawful humane society/animal shelter under the provisions of the Zoning Code of Deltona, Florida, whether public or private, whose principal purpose is securing the adoption of dogs or cats or offering sanctuary for dogs or cats and certifies in writing to the animal control officer that it does not engage in the breeding of dogs or cats, provided that the requirements of F.S. § 823.15, are satisfied.

(c) A cat that has been spayed or neutered with a notched ear for identification purposes, that is or has become, feral which means an unsocialized animal which may be one or more generations removed from a home environment and that may subsist in a colony or similar animals living on the fringes of human existence and shall mean any cat that has no apparent owner or identification and is existing in a wild state or having reverted to a wild state.

**SECTION 3. CONFLICTS.** All Ordinances or parts of Ordinances insofar as they are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of any conflict.

**SECTION 4. CODIFICATION.** The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

**SECTION 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 THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

City of Deltona, Florida  
Ordinance No. 20-2013  
Page 7 of 7

**FIRST READING:** \_\_\_\_\_

**ADVERTISED:** \_\_\_\_\_

**SECOND READING:** \_\_\_\_\_

\_\_\_\_\_  
**JOHN C. MASIARCZYK SR., MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JOYCE RAFTERY, CITY CLERK**

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

\_\_\_\_\_  
**GRETCHEN R. H. VOSE, CITY ATTORNEY**



# AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 7/15/2013

**FROM:** William D. Denny, Acting City Manager                      **AGENDA ITEM:** 8 - D

**SUBJECT:** Public Hearing - Ordinance No. 12-2013, Amending Subpart A, Chapter 38, "Environment", by adding new Article VII "Stormwater Discharge Pollutant Control" and new Article VIII "Florida-Friendly Fertilizer use on Urban Landscapes", at first reading and to schedule second and final reading.

**LOCATION:**

N/A

**BACKGROUND:**

Staff is proposing for the City Commission's approval the following new Article VII and Article VIII to Subpart A of Chapter 38 of the City of Deltona's Code of Ordinances:

***Chapter 38 - Environment***

***Article VII - "Stormwater Discharge Pollutant Control" –***

As part of the improvement guide that EPA issued to the State of Florida for their MS4 Permit Program (a permit which we are issued by the State) there needs to be some changes to our ordinances in order to satisfy these permit requirements and effectively eliminate pollutants in our stormwater to the maximum extent practicable.

***Article VIII "Florida-Friendly Fertilizer Use on Urban Landscapes" –***

Required by Florida Statute - Section 403.9337, F.S., which states that each county and municipal government located within the watershed of a water body or water segment that is listed as impaired by nutrients (Lake Monroe) pursuant to s. 403.067, shall, at a minimum, adopt the department's Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes.

**ORIGINATING DEPARTMENT:**

Public Works/Deltona Water

**SOURCE OF FUNDS:**

N/A

|   |  |
|---|--|
| <b>COST:</b>                                      | N/A  |
| <b>REVIEWED BY:</b>                               | Public Works Director, Finance Director, City Attorney   |
| <b>STAFF<br/>RECOMMENDATION<br/>PRESENTED BY:</b> | Assistant Public Works Director Gerald Chancellor - That the City Commission approve Ordinance No. 12-2013 as presented. |
| <b>POTENTIAL<br/>MOTION:</b>                      | "I move to approve Ordinance No. 12-2013 at first reading and to schedule second and final reading for August 5, 2013."  |
| <b>AGENDA ITEM<br/>APPROVED BY:</b>               | <hr style="width: 30%; margin-left: 0;"/> William D. Denny, Acting City<br>Manager                                       |
| <b>ATTACHMENTS:</b>                               | <ul style="list-style-type: none"> <li>• Ordinance No. 12-2013</li> <li>• Exhibit A</li> </ul>                           |

**ORDINANCE NO. 12-2013**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, AMENDING CODE OF ORDINANCES SUBPART A, CHAPTER 38, “ENVIRONMENT”, BY ADDING NEW ARTICLE VII “STORMWATER DISCHARGE POLLUTANT CONTROL” AND NEW ARTICLE VIII “FLORIDA-FRIENDLY FERTILIZER USE ON URBAN LANDSCAPES”; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

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**WHEREAS**, improperly treated discharges from industrial or commercial activities, interconnected city stormwater systems, illicit discharges and discharges from spilling, dumping or disposal of material other than stormwater to the stormwater system of the city adversely affects the quality of water receiving such discharges; and

**WHEREAS**, The United States Environmental Protection Agency, pursuant to Title 40, Section 122.26 of the Code of Federal Register, has mandated, through the issuance of a National Pollution Discharge Elimination System (NPDES) permit, that the city control discharges to its stormwater system in order to control the quality of discharges from the city’s stormwater system to waters of the United States; and

**WHEREAS**, phosphorus and nitrogen – the primary nutrients associated with the degradation of groundwater and surface water – are commonly the primary components of fertilizer for turf application; and

**WHEREAS**, leaching and runoff of nutrients from improper or excess fertilization practices contributes to nitrogen and phosphorus loading in The City of Deltona’s stormwater conveyances and natural water bodies and thus to the overgrowth of algae and vegetation in these waterways; and

City of Deltona, Florida  
Ordinance No. 12-2013  
Page 2 of 3

**WHEREAS**, the Florida Legislature enacted Senate Bill 494 in 2009, creating Section 403.9337, F.S., which states that each county and municipal government located within the watershed of a water body or water segment that is listed as impaired by nutrients pursuant to s. 403.067, shall, at a minimum, adopt the department’s Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes; and

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

**Section 1.** Code of Ordinances Subpart A, Chapter 38, Article VII “Stormwater Discharge Pollutant Control”, and Article VIII “Florida-Friendly Fertilizer Use on Urban Landscapes”, are hereby enacted to read as described in Exhibit A.

**Section 2.** Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application.

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

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

First Reading: \_\_\_\_\_

Advertised: \_\_\_\_\_

Second Reading: \_\_\_\_\_

City of Deltona, Florida  
Ordinance No. 12-2013  
Page 3 of 3

BY: \_\_\_\_\_  
JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

\_\_\_\_\_  
JOYCE RAFTERY, CMC, City Clerk

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

\_\_\_\_\_  
GRETCHEN R. H. VOSE, City Attorney

**DRAFT**  
**6/24/2013**

## EXHIBIT A

### ORDINANCE NO. \_\_-2013

#### CHAPTER 38 – ENVIRONMENT

#### ARTICLE VII. STORMWATER DISCHARGE POLLUTANT CONTROL

##### Sec. 38-150. Definitions.

For the purposes of this regulation, the following definitions shall apply; words used in the singular shall include plural, and the plural, singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined herein shall be construed to have the meaning given by common and ordinary use.

*“Best management practices (BMPs)”* are schedules of activities, prohibitions of practices, maintenance procedures, treatment methods and other management practices to prevent or reduce pollutants from entering the city’s stormwater system or being discharged from the city stormwater system.

*“Clean Water Act or CWA”* is Public Law (PL) 92-500, as amended PL95-217, PL95-576, PL6-483, PL97-117 and 33 U.S.C. 1251 et seq., as amended by the Water Quality Act of 1987, PL100-4.

*“Construction activities”* means the alteration of land during construction and include such activities as clearing, grading, and excavation.

*“Discharge”* means the release of liquid, solid, or gaseous material and includes, but is not limited to, a release, spilling, leaking, seeping, pouring, emitting, emptying, and/or dumping of any substance of material.

*“Illicit connection”* means point source discharge to the city’s stormwater system or to waters of the United States, which is not composed entirely of stormwater and/or which is not authorized by a permit.

*“Illicit discharge”* is a discharge to the city’s stormwater system or to waters of the United States which is not composed entirely of stormwater, unless exempted pursuant to this regulation, and/or the discharge to the city’s stormwater system or to waters of the United States and which is not in compliance with federal, state, and local permits.

*“Municipal Separate Storm Sewer System (MS4)”* describes the City’s stormwater system which is a conveyance, storage area or system of conveyances and storage areas (including, but not limited to, roads with drainage systems, streets, catch basins, curbs, gutters, ditches, manmade channels, storm drains, treatment ponds and other structural BMPs) owned or operated by a local government that discharges to waters of the United States or to other MS4s, that is designed solely for collecting, treating or conveying stormwater, and that is not part of a publicly owned treatment works (POTW), as defined by 40 Code of the Federal Register 122.2, or any context may require.

*“Point source”* means any discernible and confined conveyance including, but not limited to, any pipe, ditch, channel, conduit, well, container, rolling stocks, concentrated animal feeding operation, vessel, or

**DRAFT**  
**6/24/2013**

other floating craft from which pollutants are discharged. This term does not include return flows from irrigated agriculture.

“*Pollutant*” includes, but is not limited to, dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq.), heat, wrecked or damaged equipment, rock, sand and industrial, (excepting the city’s discharges) and agricultural waste discharged into the MS4, and not excluding other materials which the city manager or designee, federal or state regulatory agencies may deem appropriate to be included.

“*Reclaimed water*” is water that has received at least advanced secondary treatment and basic disinfection and is reused after flowing out of a wastewater treatment facility.

“*Reuse*” means the deliberate application of reclaimed water, in compliance with Florida Department of Environmental Protection and/or St. Johns River Water Management District rules, for a beneficial purpose.

“*Runoff*” is the surface flow of water which results from, and occurs following, a rainfall event.

“*Significant construction activities*” means construction activities which result in the disturbance of five acres or more of total land area.

“*Significant redevelopment*” means the alteration of an existing development which results in the increase and in the discharge of a stormwater facility beyond its previously designed and constructed capacity, or increased pollution or changed points of discharge, except emergency repairs.

“*Spill*” is a type of illicit discharge.

“*Stormwater*” means surface runoff and the discharge of runoff water resulting from rainfall.

“*Waters of the United States*” means surface and groundwaters as defined by 40 Code of the Federal Register 122.2.

### **Sec. 38-151. Findings and Declaration.**

(a) It is hereby found, determined, and declared as follows:

- (1) The contribution of pollutants through discharges from stormwater systems has a significant impact on receiving waters in the city.
- (2) Improperly treated discharges from industrial or commercial activities, interconnected city stormwater systems, illicit discharges and discharges from spilling, dumping or disposal of material other than stormwater to the stormwater system of the city adversely affects the quality of water receiving such discharges.
- (3) The United States Environmental Protection Agency, pursuant to Title 40, Section 122.26 of the Code of Federal Register, has mandated, through the issuance of a National Pollution Discharge Elimination System (NPDES) permit, that the city oversee discharges to the city stormwater system, to waters of the State of Florida, and to waters of the United States.

**DRAFT**  
**6/24/2013**

**Sec. 38-152. Discharges to the City Stormwater System.**

- (a) No discharge to the city's stormwater system ("MS4") shall be permitted to impair the operation of the MS4 or contribute to the failure of the MS4 to meet any local, state, or federal requirements, including, but not limited to NPDES permits.
- (b) Stormwater discharges to a MS4 from industrial, commercial or construction activities or from new development or redevelopment projects are required to obtain appropriate local, state, and/or federal permits prior to discharging to the MS4.
- (c) Any person determined by the city to be responsible for a discharge contributing to the failure of the city's shall provide corrective measures as determined necessary by the city official and/or designee, and shall be liable for resulting fines and damages.

**Sec. 38-153. Stormwater Discharges from Industrial, Commercial and Construction Activities.**

- (a) Stormwater discharges from industrial and commercial activities shall be treated or managed on-site, in accordance with appropriate federal, state, or local permits and regulations, prior to discharge to the city's MS4.
- (b) Stormwater discharges from significant construction activities shall be treated or managed on-site in accordance with appropriate federal, state, or local permits and regulations, prior to discharge to the city's MS4. Erosion, sediment, and pollution control for the construction site shall be properly implemented, maintained, and operated according to a pollution prevention plan required by an NPDES permit for the discharge of stormwater from construction activities, or according to a state permit issued by the Federal Department of Environmental Protection or St. Johns River Water Management District.
- (c) Construction activity which is not defined as significant is still characterized as an illicit connection or illicit discharge if the activity causes an impairment of the operation of the MS4 or contributes to the failure of the MS4 to meet any local, state or federal requirements, including, but not limited to NPDES permits.
- (d) The owners or operators of industrial facilities, commercial entities, and construction sites which discharge stormwater to the city's MS4, shall provide prior written notification to the city of the discharge and shall have received prior approval of the discharge from the city.

**Sec. 38-154. Control of Pollutant Contributions from Interconnected Stormwater Systems.**

- (a) The discharge of stormwater between state, county, or other MS4s shall not be permitted to cause the city's MS4 to be in violation of the provisions of an NPDES permit. Owners of any portion of the interconnected MS4 shall be responsible for controlling the quality and quantity of discharge of stormwater to the city's MS4.

**Sec. 38-155. Prohibition of Illicit Discharges and Illicit Connections.**

- (a) Illicit discharges and illicit connections to the city's MS4 are prohibited.
- (b) Failure to report a connection to the city's MS4 or to waters of the United States from industrial activities, commercial entities or construction activities constitutes an illicit connection.
- (c) Failure to report to the city a discharge to the city's MS4 or to waters of the United States from industrial activities, commercial entities or construction activities constitutes an illicit discharge.

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- (d) Any discharge to the city's MS4 or to waters of the United States which is in violation of federal, state or local permits or regulations constitutes an illicit discharge.
- (e) Persons responsible for illicit discharges or illicit connections shall immediately cease the illicit discharge or illicit connection, obtain appropriate approvals from applicable regulatory agencies prior to resuming the discharge or connection, and shall be liable for resulting fines and damages.

**Sec. 38-156. Inspection and Monitoring for Compliance.**

- (a) City personnel shall be granted access for inspection of facilities discharging or suspected of discharging to the city's MS4 or waters of the United States in order to effectuate the provisions of this article and to investigate violations or potential violations of any of the terms herein.
- (b) All structures, facilities, and activities which allow discharges to the city's MS4, as well as records concerning them, shall be made accessible to the city's personnel for this purpose.

**Sec. 38-157. Operational Maintenance of Structures and Other Stormwater Facilities.**

- (a) Structural control and other BMPs used for controlling the discharge of pollutants to the city's MS4 or to waters of the United States shall be operated and maintained so as to function in accordance with permitted design and performance criteria and in compliance with federal, state, or local permit conditions and regulations.

**Sec. 38-158. Exemptions; Exceptions.**

- (a) The following activities shall not be considered an illicit discharge or illicit connection, unless such activities cause, or significantly contribute to, the impairment of the use of the city's MS4 or the violation of the conditions of the city's NPDES permit:
  - (1) Discharges from:
    - a. Water line flushing;
    - b. Flushing of reclaimed water lines;
    - c. Street cleaning;
    - d. Sidewalk/building power washing;
    - e. Construction dust control;
    - f. Landscape, lawn, and irrigation waters;
    - g. Diverted stream flows or lake waters;
    - h. Foundation, footing and roof drains;
    - i. Uncontaminated groundwater infiltration (as defined at 40 Code of Federal Register 35.205(20));
    - j. Discharges from potable water sources;
    - k. Air conditioning condensate or cooling water;
    - l. De-chlorinated swimming pool water;

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- m. Springs;
  - n. Individual residential car washing;
  - o. Flows from riparian habitat and wetlands; and
  - p. Discharges or flow from emergency fire-fighting activities and emergency response activities done in accordance with adopted spill response/action plan.
- (2) Discharges for which all appropriate federal, state, and local permits have been obtained and which are in compliance with the conditions of said permits.

**Sec. 38-159. Discharges of Polluting Matter in Stormwater Systems Prohibited.**

- (a) It shall be unlawful for any person to drain, deposit, place or otherwise discharge pollutants into any stormwater system within the city, or to cause or permit to be drained, deposited, placed or otherwise discharged into such stormwater systems any organic or inorganic matter which causes pollution, pursuant to the water quality standards established by all applicable regulatory agencies. Polluting matter includes, but is not limited to the following:
- (1) Petroleum products, including, but not limited to, oil, gasoline and grease;
  - (2) Solid waste;
  - (3) Paints;
  - (4) Steam cleaning waste;
  - (5) Pesticides, herbicides or fertilizers;
  - (6) Degreasers, solvents;
  - (7) Sanitary sewage;
  - (8) Chemically treated cooling water;
  - (9) Antifreeze and other automotive products;
  - (10) Lawn clippings, leaves, branches, etc.;
  - (11) Animal carcasses;
  - (12) Recreational vehicle waters;
  - (13) Dyes;
  - (14) Construction materials;
  - (15) Any liquids in quantity or quality which are capable of causing a violation of the city's NPDES stormwater permit; and
  - (16) Solids in such quantities or of such size capable of causing interference or obstruction to the flow in the city's stormwater system.
- (b) It shall be unlawful to wash any public or private streets, building, sidewalks, or parking areas, unless all visible debris and sediments have been removed prior to washing.
- (c) Notwithstanding other requirements of law, as soon as any person has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into private stormwater management systems, the City of Deltona's MS4, State Waters,

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or Waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and reporting of such a release.

**Sec. 38-160. Enforcement, Penalties and Legal Proceedings.**

- (a) All persons in violation of this regulation shall remedy such violations immediately. All persons in violation shall, in addition to all other required remedial actions, upon detection and/or written notification by the city, provide a written response outlining the temporary and permanent measures that will be taken to correct the violation and a proposed schedule for completion of the corrective measures. All such proposals for corrective action are subject to the approval of the city manager or designee.
- (b) The city code enforcement official is authorized to issue cease and desist orders in the form of written official notices hand delivered or sent by registered mail to the person(s) believed to be responsible for the violation and/or the owner of the property from, or on which the violation is believed to be occurring. Specific activities and operations may be ordered to cease based upon the following conditions:
  - (1) In a situation that may have a serious effect on the health, safety or welfare of the public or the environment, including the quality of stormwater in the city's MS4; or
  - (2) When irreversible or irreparable harm may result, in the reasonable opinion of the city manager or designee, and immediate cessation of the activity is necessary to protect the quality of the stormwater in the city's MS4, the public or the environment.
- (c) Violations of this article are punishable as provided in the city's Code of Ordinance Chapter 70 Article II Division 2. Nothing therein shall preclude the city from electing one or more of these remedies concurrently.
- (d) Should any person responsible for a violation of this regulation fail to take the remedial action as required by the city, the city may take such remedial action, and all costs incurred by the city shall be the responsibility of the person or persons responsible for the violation, and the city may record a lien against the personal and/or real property of the violators to recover said costs and to collect all fines and penalties imposed.
- (e) In addition to the remedies provided herein, the city may make application to a court of competent jurisdiction for injunctive relief to restrain any person from violating or continuing to violate the provisions of this regulation. In addition, the city may also seek entry of a court order requiring restoration and mitigation of any impacted facilities, land, or waters, and may request any other appropriate legal remedy, including reimbursement of court costs. The city shall be entitled to an award of attorney's fees in prosecuting such actions, together with all attorney's fees and costs on appeal.
- (f) Any fines or other funds received as a result of enforcement action under this regulation and which are not used for the specific purposes enumerated herein shall be deposited into the stormwater utility fund, established under City Code.

**Sec. 38-161 - - Sec. 38-169. Reserved.**

**ARTICLE VIII. FLORIDA-FRIENDLY FERTILIZER USE ON URBAN LANDSCAPES**

**Sec. 38-170. Definitions.**

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For this Article, the following terms shall have the meanings set forth in this section unless the context clearly indicates otherwise.

*“Administrator”* means an administrative official of Deltona government designated by the city to administer and enforce the provisions of this Article.

*“Application” or “Apply”* means the actual physical deposit of fertilizer to turf or landscape plants.

*“Applicator”* means any Person who applies fertilizer on turf and/or landscape plants in Deltona.

*“Board or Governing Board”* means the Board of City Commissioners of Deltona, Florida.

*“Best Management Practices”* means turf and landscape practices or combination of practices based on research, field-testing, and expert review, determined to be the most effective and practicable on-location means, including economic and technological considerations, for improving water quality, conserving water supplies, and protecting natural resources.

*“Code Enforcement Officer, Official, or Inspector”* means any designated employee or agent of Deltona whose duty it is to enforce codes and ordinances enacted by Deltona.

*“Commercial Fertilizer Applicator”*, except as provided in 482.1562(9) F.S., means any person who applies fertilizer for payment or other consideration to property not owned by the person or firm applying the fertilizer or the employer of the applicator.

*“Fertilize”, “Fertilizing”, or “Fertilization”* means the act of applying fertilizer to turf, specialized turf, or landscape plants.

*“Fertilizer”* means any substance or mixture of substances that contains one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides other corrective measures to the soil.

*“Groundcover”* means plants used in mass as alternative to turf or lawn and/or to create variety in landscape: usually not having a mature height over two (2) feet tall.

*“Guaranteed Analysis”* means the percentage of plant nutrients or measures of neutralizing capability claimed to be present in a fertilizer.

*“Institutional Applicator”* means any person, other than a private, non-commercial or a Commercial Applicator (unless such definitions also apply under the circumstances), that applies fertilizer for the purpose of maintaining turf and/or landscape plants. Institutional Applicators shall include, but shall not be limited to, owners, managers or employees of public lands, schools, parks, religious institutions, utilities, industrial or business sites and any residential properties maintained in condominium and/or common ownership.

*“Landscape Plant”* means any native or exotic tree, shrub, or groundcover (excluding turf).

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“*Low Maintenance Zone*” means an area a minimum of ten (10) feet wide adjacent to water courses which is planted and managed in order to minimize the need for fertilization, watering, mowing, etc.

“*Person*” means any natural person, business, corporation, limited liability company, partnership, limited partnership, association, club, organization, and/or any group of people acting as an organized entity.

“*Prohibited Application Period*” means the time period during which a Flood Watch or Warning, or a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning is in effect for any portion of Deltona, issued by the National Weather Service, or if heavy rain is likely.

“*Saturated soil*” means a soil in which the voids are filled with water. Saturation does not require flow. For the purposes of this ordinance, soils shall be considered saturated if standing water is present or the pressure of a person standing on the soil causes the release of free water.

“*Slow Release*”, “*Controlled Release*”, “*Timed Release*”, “*Slowly Available*”, or “*Water Insoluble Nitrogen*” means nitrogen in a form which delays its availability for plant uptake and use after application, or which extends its availability to the plant longer than a reference rapid or quick release product. “*Turf*,” “*Sod*,” or “*Lawn*” means a piece of grass-covered soil held together by the roots of the grass.

“*Heavy Rain*” World Meteorological Organization definition of heavy rain: Rainfall greater than or equal to 50 mm (2 inches) in a 24 hour period.

“*Urban landscape*” means pervious areas on residential, commercial, industrial, institutional, highway rights-of-way, or other nonagricultural lands that are planted with turf or horticultural plants.

### **Sec. 38-171. Findings and Declaration.**

(a) It is hereby found, determined, and declared as follows:

- (1) Surface water runoff and base flow runoff leaves residential neighborhoods, commercial centers, industrial areas, and other lands within The City of Deltona and enters into natural and artificial stormwater and drainage conveyances and natural water bodies in The City of Deltona.
- (2) Phosphorus and nitrogen – the primary nutrients associated with the degradation of groundwater and surface water – are commonly the primary components of fertilizer for turf application.
- (3) Leaching and runoff of nutrients from improper or excess fertilization practices contributes to nitrogen and phosphorus loading in The City of Deltona’s stormwater conveyances and natural water bodies and thus to the overgrowth of algae and vegetation in these waterways.
- (4) The amount of fertilizer applied to a given landscape and the method of application have potential for creating nutrient pollution.

### **Sec. 38-172. Applicability.**

Consistent with Section 704 of the City of Deltona Charter, this ordinance shall be applicable throughout all of The City of Deltona.

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**Sec. 38-173. Weather and Seasonal Restrictions.**

- (a) No fertilizer containing nitrogen or phosphorus shall be applied to turf during a period for which the National Weather Service has issued any of the following advisories for any portion The City of Deltona: a severe thunderstorm warning or watch, flood warning or watch, tropical storm warning or watch, hurricane warning or watch, or a three-day cone of uncertainty.

**Sec. 38-174. Fertilizer Content; Application Rate.**

- (a) All fertilizer shall be labeled in accordance with state law.
- (b) No fertilizer containing phosphorus shall be applied to turf. Provided, however, where phosphorus deficiency has been demonstrated in the soil underlying the turf by a soil analysis test performed by a State of Florida-certified laboratory, phosphorus may be applied to turf at a rate no greater than one-quarter of one pound (0.25 lb.) of phosphorus per 1,000 square feet per application, not to exceed one-half pound (0.5 lb.) of phosphorus per 1,000 square feet per year. Any person who obtains such a soil analysis test showing a phosphorus deficiency and who wishes to apply phosphorus to turf shall mail a copy of the test results to The City of Deltona NPDES Inspector's Office, 201 Howland Blvd, Deltona, Florida 32738 within 30 days of receipt of results. In addition, phosphorus may be applied at the foregoing rate to newly installed turf, regardless of whether a soil deficiency test has been performed, for a period of sixty (60) days following installation.
- (c) No fertilizer containing nitrogen shall be applied to turf unless at least fifty (50) percent of its nitrogen content is slow release as indicated on the Guaranteed Analysis label, with no more than one pound (1 lb.) total nitrogen per 1,000 square feet of area per application.
- (d) Notwithstanding subsection 38-174(c), commercial applicators may apply fertilizer to turf at a rate that does not exceed one-half of one pound (0.5 lb.) of readily available nitrogen per 1,000 square feet of area, provided, however, that any application that exceeds one-half of one pound (0.5 lb.) of nitrogen shall conform to subsection 38-174 (c).
- (e) Notwithstanding any other provision of this section, no fertilizer shall be applied to turf at a rate that exceeds the limits per plant species set forth below:
- (1) Plant Species/ Nitrogen limit:
  - (2) Bahia grass: 2-4 pounds of nitrogen per 1,000 square feet per year.
  - (3) Bermuda grass: 4-6 pounds of nitrogen per 1,000 square feet per year.
  - (4) Centipede grass: 2-3 pounds of nitrogen per 1,000 square feet per year.
  - (5) St. Augustine grass: 2-5 pounds of nitrogen per 1,000 square feet per year.
  - (6) Zoysia grass: 3-6 pounds of nitrogen per 1,000 square feet per year.

**Sec. 38-175. Fertilizer-Free Zones.**

- (a) No fertilizer shall be applied within ten (10) feet of any lake, pond, stream, water body, water course or canal. Additionally, no fertilizer shall be applied within ten (10) feet of any wetland as defined by the Florida Department of Environmental Protection (Chapter 62-340, Florida Administrative Code, as it may be amended or superseded).

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- (b) No fertilizer shall be deposited, washed, swept, or blown off – intentionally or inadvertently – onto any impervious surface, public right-of-way, public property, stormwater drain, ditch, conveyance, or water body.
- (c) A low-maintenance zone is strongly recommended – though not required – for all areas within six (6) feet of the normal high water elevation of any lake, pond, stream, water body, water course or canal, or any wetland. Low-maintenance zones should be planted and managed in such a way as to minimize the need for watering, mowing, and other active maintenance.

**Sec. 38-176. Mode of Application.**

- (a) Broadcast spreaders applying fertilizers must be equipped with deflector shields positioned to deflect fertilizer from all impervious surfaces, rights-of-way, stormwater drains, ditches, conveyances, and water bodies.

**Sec. 38-177. Grass Clippings and Vegetative Material/Debris.**

- (a) Grass clippings and/or vegetative material/debris shall not be deposited, washed, swept, or blown off – intentionally or inadvertently – onto any impervious surface, public right-of-way, stormwater drain, ditch, conveyance, or water body.

**Sec. 38-178. Commercial Training Requirements; Proof of Compliance.**

- (a) No commercial applicator shall cause fertilizer to be applied, except at his or her own residence, without proof of successful completion of a City-approved best management practices training program within the previous three years, unless he or she is under the direct physical supervision of a person who has proof of successful completion of such a training program. All commercial applicators of fertilizer within the incorporated area of Deltona shall have and carry in their possession at all times when applying fertilizer, evidence of certification by the Florida Department of Agriculture and Consumer Services as a Commercial Fertilizer Applicator per 5E-14.117(18) F.A.C.
- (b) Each commercial applicator shall ensure that each applicator he or she employs has successfully completed a City approved best management practices training program within 180 days of initial employment and shall ensure that prior to the successful completion of said program, each employee applicator shall work under the direct physical supervision of a person who has successfully completed said program.
- (c) Possession of a valid limited certification for urban landscape commercial fertilizer application from the Florida Department of Agriculture and Consumer Services shall suffice as evidence of completion of a City-approved best management practices training program.

**Sec. 38-179. Commercial Applicators; Business Tax Certificate.**

- (a) Prior to obtaining or renewing a City of Deltona local business tax certificate for a business that provides landscape services, each commercial applicator shall provide proof of successful completion from a City-approved best management practices training program within the previous three years. Possession of a valid limited certification for urban landscape commercial fertilizer application from the Florida Department of Agriculture and Consumer Services shall suffice as evidence of completion of a City approved best management practices training program.

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**Sec. 38-180. Exemptions; Exceptions.**

- (a) Sections 38-175 through 38-178 of this article shall not apply to golf courses; provided, however, fertilizer shall not be applied to golf courses in excess of the provisions of the Florida Department of Environmental Protection (“FDEP”) document, *BMPs for the Enhancement of Environmental Quality on Florida Golf Courses, January 2007*.
- (b) This article shall not apply to any bona fide farm operation that The City of Deltona is without authority to regulate with regard to fertilizer application pursuant to the Florida Right to Farm Act, Sec. 823.14, *et seq.*, Florida Statutes (2007), or other applicable state law.
- (c) This article shall not apply to sports turf areas at parks and athletic fields.

**Sec. 38-181. Variances.**

- (a) All requests for a variance(s) from the requirements of this article shall be made in writing to the City of Deltona Public Works Department. The department director or designee may require the applicant for a variance to provide such information as necessary to carry out the purpose of this article. The department director or designee may approve, approve with conditions, or deny requests for variances. A variance may be granted if strict application of the City of Deltona Fertilizer Management Ordinance would lead to unreasonable or unfair results in particular instances, provided that the applicant demonstrates with particularity that compliance will result in a substantial economic, health or other hardship on the applicant requesting the variance or those served by the applicant.
- (b) Variances may be issued by the Public Works department only upon satisfaction of the following:
  - (1) A showing of good and sufficient cause by the applicant and that the cause is not self-imposed,
  - (2) A determination by the department that the variance is the minimum necessary to afford relief,
  - (3) A determination by the department that failure to grant the variance would result in a practical difficulty or a physical hardship affecting the applicant’s economic use of the property,
  - (4) A determination by the department that the granting of the variance will not result in threats to the health, safety, and welfare of the residents of the City or conflict with existing local laws or ordinances.
- (c) Any person aggrieved by the decision of the Public Works department may appeal pursuant to the provisions of section 15-38.

**Sec. 38-182. Enforcement and Penalty.**

- (a) It shall be unlawful for any person to violate any provision of this article, or any provision of any resolution enacted pursuant to the authority of this article. Every code enforcement officer is authorized to enforce the provisions of this article. Any person who violates any provision of this article, or any provision of any resolution enacted pursuant to the authority of this article, shall be subject to the following penalties:
  - (1) First violation: written notice.
  - (2) Second violation: written notice.

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- (3) Third violation: Fine of fifty dollars (\$50.00).
- (4) Fourth and subsequent violations: Fine of one hundred dollars (\$100.00).
- (b) In addition to the enforcement provisions provided, the City may avail itself of any other legal or equitable remedy available to it including, without limitation, injunctive relief, in the enforcement of any provision of this article or any provision of any resolution enacted pursuant to the authority of this article. Any person violating this article shall be held liable for all costs incurred by the City in connection with enforcing this article, or any resolution enacted pursuant to the authority of this article including, but not limited to, attorney's fees.

**Sec. 38-183 - - Sec. 38-189. Reserved.**



## AGENDA MEMO

**TO:** Mayor & City Commission                      **AGENDA DATE:** 7/15/2013  
**FROM:** William D. Denny, Acting City Manager **AGENDA ITEM:** 9 - A  
**SUBJECT:** Consideration of appointment of one (1) alternate member to the City's Charter Review Committee.

|   |  |
|---|--|
| <b>LOCATION:</b>                          | N/A  |
| <b>BACKGROUND:</b>                        | <p>At the Regular City Commission meeting held on Monday, June 17, 2013, the City Commission ranked each of the ten submitted applicants with the lowest five applicants being appointed to the Charter Review Committee. The second two (2) lowest ranked applicants were appointed as the alternate members to the Charter Review Committee, David Dapore and Paula Rossiter.</p> <p>Due to Charter Review Committee member Mr. Lonnie Groot submitting his resignation to the City Commission and that the two (2) alternates have the same ranking score (39) the City Commission will need to rank the two (2) alternate members with the lowest score alternate member being appointed as the Charter Review Committee member to take the place of Mr. Lonnie Groot.</p> |
| <b>ORIGINATING DEPARTMENT:</b>            | City Clerk's Office  |
| <b>SOURCE OF FUNDS:</b>                   | N/A  |
| <b>COST:</b>                              | N/A  |
| <b>REVIEWED BY:</b>                       | City Clerk   |
| <b>STAFF RECOMMENDATION PRESENTED BY:</b> | Joyce Raftery, City Clerk - That the Commission consider the appointment of one (1) alternate member to the Charter Review Committee.  |
| <b>POTENTIAL</b>                          |  |

**MOTION:**

"I move to confirm the appointment of the following alternate member \_\_\_\_\_ to the City's Charter Review Committee."

**AGENDA ITEM  
APPROVED BY:**

---

William D. Denny, Acting City  
Manager

**ATTACHMENTS:**

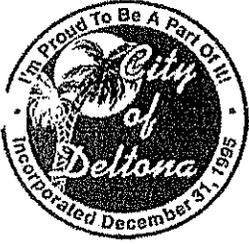
- Ranking Sheet
- Application - Dapore
- Application - Rossiter
- 2013-2014 Charter Review Timeline
- 2014 Election Dates
- Final Ranking Sheet of June 17, 2013

Charter Review Committee  
Alternate Ranking Process

|   | <b>APPLICANT'S NAME</b> | <b>RANK 1 - 2</b> |
|---|-------------------------|-------------------|
|   |                         |                   |
| 1 | David Dapore            |                   |
| 2 | Paula Rossiter          |                   |

**APPLICANTS:**

Rank each applicant from 1 – 2 with 1 being your first choice and 2 being the second choice. The applicant with the lowest score will be appointed as the member to the CRC.



# City of Deltona

## CHARTER REVIEW COMMITTEE APPLICATION

[Please complete application and give to your City Commissioner and/or to the Mayor by no later than June 10, 2013]

Name: David Dapore Address: 1108 Abady Ct. 32725  
 Phone numbers: 386 575 0034 321 267 8100 407 310 9934  
 Home Work Cell  
 Fax: 321 267 9944 E-Mail: ddapore@rushme.com

Are you a registered voter in Volusia County and a current Deltona resident? yes Number of years as a Deltona Resident: 10

NOTE: The Charter Review Committee will be composed of five (5) members, and there will be 2 alternates. The Mayor and each of the City Commissioners will nominate two (2) people for the Committee (for a total of 14 nominees). The City Commission will then choose five (5) of the nominees as members, and two (2) of the nominees as alternates.

The Charter Review process will take approximately one year with frequent meetings at which attendance is mandatory. If you are nominated and selected to be a member of the committee, will you agree to consistently attend and participate in such meetings? yes

Committee alternates must attend meetings, but will not participate in the meetings unless a member of the committee resigns or is removed. Would you be willing to act as such an alternate? yes

Have you ever served on a committee or advisory board? yes If so, give the details, including positions:

Have you ever held public office? No If so, give the details, including offices involved, whether elected or appointed, and the length of service.

Describe any additional knowledge, skill, education, or experience you have which would assist you in the duties of this Committee: - good written & oral communication skills  
- good relationship with longstanding resident neighbors

**CITY ATTORNEY'S OFFICE**  
 2345 Providence Boulevard, Deltona, Florida 32725  
 Phone (386) 878-8870 • Fax (386) 878-8871  
 Webpage: www.deltonafl.gov

Explain why you want to serve on this Committee, and include any potential contribution your selection would bring: to give back to the community and help shape the

future of our City - good relationship with neighbors who could provide  
add'l feedback

Have you read the Deltona City Charter? \* in part What changes would you suggest be made to the Deltona City Charter?

\* Currently reviewing Charter; no opinion on  
changes at this time.

Potential conflict of interest: Do you do business with the City of Deltona, or are you engaged in the management of any business enterprise that does business with the City of Deltona? No If so, please give details, including the name of the enterprise, the nature of the business, and the position you hold.

Have you ever been convicted for violation of any federal, state, county, or municipal law, regulation or ordinance? No 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.

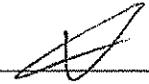
List names, addresses, and telephone numbers of at least three persons who are in a position to comment on your qualifications and of whom inquiry may be made by the City of Deltona.

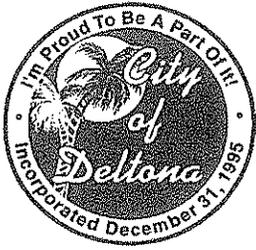
1. Dannie Allen Abady Ct. Deltona 32725 / 386.574-1341
2. Scott MacDade Abady Ct. Deltona 32725 / 407.415.7749
3. William Chivers 3735 Chiara Dr. Titusville 32796 / 321.863.5020

Additional information or comments: \_\_\_\_\_

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

Date: 06.07.13

Name: David Dapone 



# City of Deltona

## CHARTER REVIEW COMMITTEE APPLICATION

[Please complete application and give to your City Commissioner and/or to the Mayor by no later than  
June 10, 2013]

Name: PAULA ROSSITER Address: 2991 MALLARD DR 32738

Phone numbers: 386-574-3477 386-456-1212 407-545-1307  
Home Work Cell

Fax: \_\_\_\_\_ E-Mail: ROSSFLA@YAHOO.COM

Are you a registered voter in Volusia County and a current Deltona resident? YES Number of years  
as a Deltona Resident: 5

NOTE: The Charter Review Committee will be composed of five (5) members, and there will be 2 alternates. The Mayor and each of the City Commissioners will nominate two (2) people for the Committee (for a total of 14 nominees). The City Commission will then choose five (5) of the nominees as members, and two (2) of the nominees as alternates.

The Charter Review process will take approximately one year with frequent meetings at which attendance is mandatory. If you are nominated and selected to be a member of the committee, will you agree to consistently attend and participate in such meetings? YES

Committee alternates must attend meetings, but will not participate in the meetings unless a member of the committee resigns or is removed. Would you be willing to act as such an alternate? YES

Have you ever served on a committee or advisory board? NO If so, give the details, including positions:

Have you ever held public office? NO If so, give the details, including offices involved, whether elected or appointed, and the length of service.

Describe any additional knowledge, skill, education, or experience you have which would assist you in the duties of this Committee: TEAM LEADER, EFFECTIVE INTERPERSONAL SKILLS, STRONG NEGOTIATING ABILITIES - GRADUATE OF BOSTON COLLEGE WITH DEGREE IN BUSINESS + MARKETING (B.S.)

SKILLED IN ENGAGING STAFF + CLIENTS TO BUILD BUSINESS RELATIONSHIPS AND ACHIEVE COMMON GOALS, 30 PLUS YEARS WORKING IN BUSINESS ENVIRONMENTS

CITY ATTORNEY'S OFFICE

2345 Providence Boulevard, Deltona, Florida 32725

Phone (386) 878-8870 • Fax (386) 878-8871

Webpage: www.deltonafl.gov

Explain why you want to serve on this Committee, and include any potential contribution your selection would bring: I WANT TO BECOME MORE INVOLVED IN THE GROWTH & EVOLUTION OF THE CITY OF DELTONA. I AM A DEDICATED PROFESSIONAL AND VERY ENTHUSIASTIC ABOUT THE POSSIBILITY OF DELTONA BECOMING A GREAT CITY.

Have you read the Deltona City Charter? YES What changes would you suggest be made to the Deltona City Charter?

I HAVE READ THE CHARTER AND I AM WILLINGLY OPEN TO DISCUSS AND REVIEW ANY CHANGES THAT WOULD COME UP FOR DISCUSSION.

Potential conflict of interest: Do you do business with the City of Deltona, or are you engaged in the management of any business enterprise that does business with the City of Deltona? NO If so, please give details, including the name of the enterprise, the nature of the business, and the position you hold.

Have you ever been convicted for violation of any federal, state, county, or municipal law, regulation or ordinance? NO 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.

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.

1. ELEANOR CUSTAVSSON - 386-484-3500
2. MARION NARICHT - 407-322-8779
3. MARGARET HOUGHTON - 386-479-1533

Additional information or comments: MY ENTHUSIASM TO PARTICIPATE IN A PROJECT THAT COULD BENEFIT DELTONA IS A QUALITY THAT I BRING TO THE TABLE.

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

Date: 6/8/13

Name: Paula Rossiter

## **DRAFT - CHARTER REVIEW TIMELINE**

**August 5, 2013** (Workshop) – Discussion of Charter Review process.

**August 6, 2013** – Advertise for Charter Review Committee members (DTV, e-blast, website, etc.).

**November 3, 2013** (RCM) – Commission to appoint 5 members to the Charter Review Committee (CRC) and whether to consider the selection of facilitator for this process.

Previous Process: Each Commissioner will choose 5 nominations for appointment to the CRC out of the applicants. The City Clerk counted up the nominations and announced the top 5 applicants with the most nominations.

2008 cost for facilitator: \$4,000

**March 3, 2014** – CRC to complete their work

**March 10, 2014** (JCM) – Joint Commission Meeting w/CRC

**March 17, 2014** - Legal to provide wording for referendum questions and Ordinance/Resolution to be placed on agenda

**March 17, 2014** (RCM) – Request to sunset CRC

**March 17, 2014** (RCM) – 1st Reading of Ordinance No. XX-2014, Amending the City Charter and authorizing proposed Charter Amendment Questions be submitted to the electors at the November 4, 2014 General Election for a referendum on the questions of approval of the amendments.

**April 7, 2014** (RCM) – 2<sup>nd</sup> Reading of Ordinance No. XX-2014, Amending the City Charter and authorizing proposed Charter Amendment Questions be submitted to the electors at the November 4, 2014 General Election for a referendum on the questions of approval of the amendments.

**April 21, 2014** (RCM) – Left open incase 1<sup>st</sup> or 2<sup>nd</sup> Reading of ordinance is not approved by the Commission.

**June 2 – 6, 2014** – Qualifying

**June 6, 2014** – Deadline for referendum language to be submitted to Supervisor of Election (SOE)

**August 12, 2014** - Primary Election

**November 4, 2014** – General Election



# Volusia County Department of Elections

## Election Schedule

(Updated April 12, 2013)

| 2013 Elections   | Election Day                                     | Deadline to Register to Vote | Early Voting   |
|--|--|------------------------------|--|
| <b>Municipal Primary Election</b>  | August 13, 2013<br>Polls are open<br>7am - 7 pm  | July 15, 2013                | August 3, 2013<br>through<br>August 10, 2013<br><a href="#">Hours &amp; Locations</a>    |
| <b>Municipal General Election</b>  | November 5, 2013<br>Polls are open<br>7am - 7 pm | October 7, 2013              | October 26, 2013<br>through<br>November 2, 2013<br><a href="#">Hours &amp; Locations</a> |
| <b>Municipalities Scheduled for Elections:</b> DeBary, Lake Helen, Ponce Inlet<br>Participating municipalities may change after the candidate qualifying period. |  |                              |  |
|  |  |                              |  |
|  |  |                              |  |
| 2014 Elections   | Election Day                                     | Deadline to Register to Vote | Early Voting   |
| <b>Primary Election*</b>   | August 26, 2014<br>Polls are open<br>7am - 7 pm  | July 28, 2014                | August 16, 2014<br>through<br>August 23, 2014<br><a href="#">Hours &amp; Locations</a>   |
| *The Primary Election date and deadline to register to vote is subject to change after Legislative Session concludes.  |  |                              |  |
| <b>General Election</b>  | November 4, 2014<br>Polls are open<br>7am - 7 pm | October 6, 2014              | October 25, 2014<br>through<br>November 1, 2014<br><a href="#">Hours &amp; Locations</a> |
|  |  |                              |  |
|  |  |                              |  |

[back to elections home](#)

|    | <b>APPLICANTS</b>       | <b>Mayor</b> | <b>Vice Mayor</b> | <b>Barnaby</b> | <b>Herzberg</b> | <b>Lowry</b> | <b>Nabicht</b> | <b>Schleicher</b> | <b>TOTALS</b> |
|----|-------------------------|--------------|-------------------|----------------|-----------------|--------------|----------------|-------------------|---------------|
| 7  | Michael Kiepert         | 5            | 10                | 4              | 2               | 9            | 3              | 1                 | 34            |
| 1  | Jean Armstrong          | 9            | 5                 | 1              | 7               | 3            | 7              | 3                 | 35            |
| 5  | Lonnie N. Groot         | 10           | 1                 | 3              | 3               | 1            | 10             | 8                 | 36            |
| 6  | Michael Kerns           | 3            | 7                 | 8              | 1               | 7            | 6              | 4                 | 36            |
| 10 | Beverly Spitz           | 1            | 3                 | 7              | 8               | 4            | 4              | 9                 | 36            |
| 4  | David Dapore            | 2            | 2                 | 9              | 5               | 6            | 9              | 6                 | 39            |
| 9  | Paula Rossiter          | 7            | 6                 | 6              | 6               | 8            | 1              | 5                 | 39            |
| 3  | Carolyn Carbonell       | 6            | 9                 | 10             | 9               | 5            | 2              | 2                 | 43            |
| 8  | Michelle McFall-Conte   | 4            | 8                 | 5              | 4               | 10           | 5              | 7                 | 43            |
| 2  | Richard L. Buckler, Jr. | 8            | 4                 | 2              | 10              | 2            | 8              | 10                | 44            |



## AGENDA MEMO

**TO:** Mayor & City Commission **AGENDA DATE:** 7/15/2013

**FROM:** William D. Denny, Acting City Manager **AGENDA ITEM:** 10 - A

**SUBJECT:** Request for consideration from Pedro E. Velez Perez and Ana Glison Fragaso for a reduction of fine from \$6,350.00 assessed pursuant to Special Magistrate Case DEL-05-002.

**LOCATION:**

This property is located at 626 E. Normandy Blvd., Deltona, Florida 32725. The Parcel No. is 30-18-31-01-11-0360.

**BACKGROUND:**

An order Imposing Fine/Lien was entered on January 26, 2005, by the City of Deltona Special Magistrate, ordering Pedro E. Velez Perez and Ana Glison Fragaso to pay to the City of Deltona a fine in the amount of fifty dollars (\$50.00) per day beginning January 26, 2005, for each and every day the violations exist and continues to exist. The violation occurred when the respondent failed to obtain a building permit for an addition to the home located at 626 E. Normandy Blvd. The respondent failed to come into compliance for 127 days. The total accumulated amount due is \$6,350.00. On June 26, 2013 Pedro E. Velez Perez and Ana Glison Fragaso appeared before the Special Magistrate to request a recommendation to reduce the fine. The Special Magistrate made a recommendation to reduce the fine to zero with the understanding that the owners complete the project and receive and pass a final building inspection.

**ORIGINATING DEPARTMENT:**

Enforcement Services

**SOURCE OF FUNDS:**

N/A

**COST:**

N/A

**REVIEWED BY:**

City Attorney

**STAFF**

**RECOMMENDATION  
PRESENTED BY:**

Enforcement Services Staff forwards the Special Magistrate's recommendation - On June 26, 2013 the Special Magistrate, Charles J. Cino, issued a recommendation to reduce the fine to zero with the understanding that this would qualify the owners for money through the SHIP program in order to complete the project. If not they would be require to provide their own money and either way complete the project and receive and pass a final building inspection; if not the fine would return to the original amount of \$6,350.00.

**POTENTIAL  
MOTION:**

"I move that the City Commission grant the request of Pedro E. Velez Perez and Ana Glison Fragaso for a reduction of the fine concerning Case No. DEL-05-002 for the property located at 626 E. Normandy Blvd., Deltona, Florida, to zero and that they receive and pass a final building inspection or the fine reverts back to the original amount."

OR

"I move that the City Commission not grant any reduction of the fines requested of Pedro E. Velez Perez and Ana Glison Fragaso concerning Case No. DEL-05-002 for the property located at 626 E. Normandy Blvd., Deltona, Florida."

**AGENDA ITEM  
APPROVED BY:**

---

William D. Denny, Acting City  
Manager

**ATTACHMENTS:**

- Background
- Pictures
- Pictures

**SPECIAL MAGISTRATE CODE HEARING**

**REQUEST FOR REDUCTION IN FINES**

**CASE NUMBER: DEL-05-002**

**VIOLATION:** City of Deltona Ordinance, Section 18-191, adopting the Standard Housing Code, 1977 Edition, Section 110, which states that any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change a residential building or structure, or to cause any such work to be done shall first make application to the Housing Official and obtain the required permit therefor.

**REQUIRED CORRECTIVE ACTION:** Apply for and obtain a permit for the room addition.

**OWNER:** Pedro E. Velez Perez and Ana Glison Fragaso

**PROPERTY ADDRESS:** 626 E. Normandy Blvd., Deltona, FL 32725

**PARCEL NUMBER:** 30-18-31-01-11-0360

**FINDINGS OF FACTS:**

- |                      |  |
|----------------------|--|
| 1. May 5, 2004       | Verbal Warning given to property owners in reference to the construction of a room addition without a permit.  |
| 2. May 14, 2004      | Notice of Violation was issued and signed for by the property owner.   |
| 3. May 26, 2004      | Building permit was applied for.   |
| 4. July 3, 2004      | Follow up on the permit status. No reply to the comments and need for additional information from the property owner.  |
| 5. November 3, 2004  | Verbal warning given to the property owner that additional actions needs to be taken and a permit issued.  |
| 6. December 23, 2004 | Notice of Hearing signed for.  |
| 7. January 26, 2005  | Special Magistrate Hearing; Found in non-compliance and ordered to pay fifty dollars (\$50.00) per day until the property is brought in into compliance.                   |
| 8. June 3, 2005      | Building permit issued 127 days after the time designated by the Special Magistrates Order, a fine of six thousand three hundred and fifty (\$6,350.00) dollars is levied. |
| 9. March 12, 2013    | Property owner's requested to go before the Special Magistrate to request a recommendation for a reduction in fines.   |
| 10. June 26, 2013    | Pedro E. Velez Perez and Ana Glison Fragaso appeared before the Special Magistrate for a recommendation for a reduction in fines.  |

**CONCLUSIONS:** Pedro E. Velez Perez and Ana Glison Fragaso were the owners at the time of the violation. They were properly notified of the violations / hearings and were given sufficient time to bring the property into compliance.

**RECOMMENDATION:** Mr. Cino recommended reducing the fine to zero with the understanding that this would qualify the owners for money through the SHIP program in order to complete the project. If not they would be required to provide their own money and either way complete the project and receive and pass a final building inspection; if not the fine would return to the original amount of \$6,350.00.

**CITY'S EXPENSES:** City expenses are difficult to determine due to how old this case is. We made at least 4 trips to the property; mailed 3 certified letters, appeared before the Special Magistrate. Additionally, there was staff time drafting orders, minutes and etc.



Item 10A



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Item 10A