



City of Deltona

REGULAR CITY COMMISSION MEETING
MONDAY, FEBRUARY 3, 2014
6:30 P.M.

Mayor
John Masiarczyk

Vice Mayor
Heidi Herzberg
District 3

Commissioners:

Zenaida Denizac
District 1

Webster Barnaby
District 2

Nancy Schleicher
District 4

Fred Lowry
District 5

Chris Nabicht
District 6

City Manager
William D. Denny

DELTONA COMMISSION CHAMBERS
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA

AGENDA

- 1. CALL TO ORDER:**
- 2. ROLL CALL – CITY CLERK:**
- 3. INVOCATION AND PLEDGE TO THE FLAG:**
 - A. Silent Invocation Presented by Mayor Masiarczyk.**
- 4. APPROVAL OF MINUTES & AGENDA:**
 - A. Approval of Minutes - Regular City Commission Meeting of January 21, 2014.**
 - B. Additions or Deletions to Agenda.**
- 5. PRESENTATIONS/AWARDS/REPORT:**
 - A. Presentation - Super Star Student of the Month Certificates for January 2014.**
 - B. 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 award quote for Builders Risk Insurance on the Eastern Water Reclamation Facility construction project.**
- * B. Request for Fee Waiver - Deltona Little League-Annual Opening Day Parade.**

8. ORDINANCES AND PUBLIC HEARINGS:

- A. Public Hearing - Ordinance No. 17-2013, an amendment to the Capital Improvements Element of the City's Comprehensive Plan.**
- B. Public Hearing - Ordinance No. 18-2013, Phase II-B Amendments to the Land Development Code, at second and final reading.**
- C. Public Hearing - Ordinance No. 01-2014, Tractor Supply Company Amendment to the Official Zoning Map (RZ13-007), at second and final reading.**
- D. Public Hearing - Ordinance No. 03-2014, Amending and updating the City's Floodplain Management Regulations as listed in Chapters 70, Section 30, Definitions, and Chapter 90, Flood Hazard Management, of the City's Code of Ordinances, as well as adopting new FEMA Flood Insurance Rate Maps, dated February 19, 2014.**

9. OLD BUSINESS:

10. NEW BUSINESS:

11. CITY ATTORNEY COMMENTS:

- A. Charter Review Committee Update.**

12. CITY MANAGER COMMENTS:

- A. Lobbyist Update.**

13. CITY COMMISSION COMMENTS:

14. ADJOURNMENT:

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

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



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 2/3/2014
FROM: William D. Denny, City Manager **AGENDA ITEM:** 3 - A
SUBJECT: Silent Invocation Presented by Mayor Masiarczyk.

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



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 2/3/2014
FROM: William D. Denny, City Manager **AGENDA ITEM:** 4 - A
SUBJECT: Approval of Minutes - Regular City Commission Meeting of January 21, 2014.

LOCATION:	N/A
BACKGROUND:	N/A
ORIGINATING DEPARTMENT:	City Clerk's Office
SOURCE OF FUNDS:	N/A
COST:	N/A
REVIEWED BY:	City Clerk
STAFF RECOMMENDATION PRESENTED BY:	City Clerk Joyce Raftery - To approve the minutes of the Regular City Commission Meeting of January 21, 2014.
POTENTIAL MOTION:	"I move to approve the minutes of the Regular City Commission Meeting of January 21, 2014."
AGENDA ITEM APPROVED BY:	<hr/> William D. Denny, City Manager
ATTACHMENTS:	<ul style="list-style-type: none">• Minutes of January 21, 2014

**CITY OF DELTONA, FLORIDA
REGULAR CITY COMMISSION MEETING
TUESDAY, JANUARY 21, 2014**

1 A Regular Meeting of the Deltona City Commission was held on Tuesday, January 21, 2014 at the
2 City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

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

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

7
8 **2. ROLL CALL:**

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

21 Also present: Public Works/Deltona Water Director Gerald Chancellor; Parks and Recreation
22 Director Steve Moore; Planning and Development Services Director Chris Bowley; Building and
23 Enforcement Services Director/Acting Deputy City Manager Dale Baker; and Acting Fire Chief
24 Robert Rogers.

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

27
28 Silent Invocation Presented by Commissioner Nabicht.

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

31
32 **A. Minutes:**

33
34 **1. Approval of Minutes – Regular City Commission Meeting of January 6, 2014.**

35
36 **Motion by Commissioner Denizac, seconded by Commissioner Schleicher to approve the minutes**
37 **of the Regular City Commission Meeting of January 6, 2014.**

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

42
43 **B. Additions or Deletions to Agenda:**

44
45 City Attorney Becky Vose pulled Agenda Item 9-B.

46
47 **5. PRESENTATIONS/AWARDS/REPORTS:**

1 **A. Presentation - Providing Autism Links & Support Inc. (PALS), presented by the Deltona**
 2 **Dunkin Donuts/Baskin Robbins franchise and property owners Gary and Peggy Heckel.**

3
 4 The Commission and Deltona Dunkin Donuts/Baskin Robbins franchisee and property owners Gary
 5 and Peggy Heckel presented Providing Autism Links and Support (PALS) with a check for \$2,500
 6 dollars.

7
 8 **B. Presentation – Certificate of Recognition – 4th Annual Holiday Parade of Homes winner.**

9
 10 The Commission presented a Certificate of Recognition to the Stone Family for winning the 4th Annual
 11 Deltona Holiday Parade of Homes’ competition, and provided them with an Ace Hardware gift
 12 certificate from Mr. Bill Anderson, owner of Anderson Ace Hardware.

13
 14 **C. Presentation – Quarterly Reports of City Advisory Boards/Committees.**

15
 16 Written Fourth Quarter Reports were submitted from the Parks and Recreation Advisory Committee
 17 and the William S. Harvey Deltona Scholarship Advisory Board.

18
 19 **6. PUBLIC FORUM – Citizen comments for items not on the agenda.**

20
 21 a) Jody Storozuk, 1811 Pennington Avenue, stated the City should purchase the bus benches from
 22 Waverly Media, to let local sign shops make the advertisements for the bus benches which would bring
 23 revenue to local businesses and the City, the City managing the bus bench advertising would reduce the
 24 sign permitting requirements, Waverly Media should have brought the benches into ADA compliance,
 25 and that the City’s elected officials should be the focus group recommending and deciding on bus bench
 26 advertising, not residents.

27
 28 b) Daniel Dudley, 1089 Pearl Tree Road, stated that there is a growing concern not just in the
 29 Sterling Park area, but throughout the whole City about the proposed plan to change the zoning at
 30 Sterling Silver and Saxon Boulevards from medical, office, professional to a business zoning, and he is
 31 against the proposed zoning change.

32
 33 **7. CONSENT AGENDA:**

34
 35 Vice Mayor Herzberg read the title of each item on the Consent Agenda.

36
 37 Commissioner Lowry asked to pull Agenda Item 7-A.

38
 39 **Motion by Commissioner Denizac, seconded by Commissioner Nabicht to approve Consent**
 40 **Agenda Item 7-B.**

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

45
 46 **A. Request for approval of proposed changes to the Parks and Recreation Advisory**
 47 **Committee By-Laws.**

1 Commissioner Lowry asked staff to provide a general synopsis on the request for changes to the Parks
 2 and Recreation Advisory Committee By-Laws.
 3

4 Parks and Recreation Director Steve Moore stated that the request takes out some of the City's standard
 5 by-law verbiage that does not apply to the Parks and Recreation Advisory Committees, brings sections
 6 of the Parks and Recreation Advisory Committee by-laws in line with other board's by-laws, and makes
 7 the by-laws more user friendly.
 8

9 **Motion by Commissioner Lowry, seconded by Commissioner Schleicher to approve changes to**
 10 **the Parks and Recreation Advisory Committee By-Laws.**
 11

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

16 ***B. Request for approval of Sole Source award to Menzi USA Sales for an AEBI Terratrac**
 17 **TT210 Machine.**
 18

19 **Approved by Consent Agenda – to approve award to Menzi USA Sales, Inc. for one (1) AEBI**
 20 **Terratrac TT210 machine at a total cost not to exceed \$117,410.00.**
 21

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

24 **A. Public Hearing - Ordinance No. 18-2013, Phase II-B, amendments to the Land**
 25 **Development Code, at first reading and to schedule second and final reading.**
 26

27 Commissioner Denizac asked for an explanation of the change found in Exhibit A, Ordinance No.
 28 18-2013, Page 74:7, Subsection 4. ~~4~~ where it says "The information shall be provided, or the study
 29 shall be completed within a time certain, not to exceed six (6) months..." and she asked if six (6)
 30 months was too long if the City's intent is to streamline the development process. Also, she
 31 questioned the change from five (5) working days to 10 on Page 74:7 (i h), (2) first sentence.
 32

33 Planning and Development Services, Planning Manager Tom Pauls replied that the changes are not
 34 meant to slow up the process, but to allow staff time to conduct a thorough review, and that in most
 35 cases when an issue comes up before the Development Review Committee (DRC) it is quickly taken
 36 care of. He stated that as far as the issuing of the Development Order being in 10 working days
 37 instead of five (5) days; the reason is to allow an extra week to prepare the Development Order,
 38 since the City has eliminated the sketch plan and the overall development plan, and Site Plans are
 39 only reviewed by the DRC, the process has been streamlined by 2-3 months, the extra week is to
 40 insure that the final Development Order, which is a recorded document, is correct. He stated that in
 41 reference to the change of a specific study being completed "...within a time certain, not to exceed
 42 six (6) months...", that the requirement and language have not changed, the only change was to add
 43 the number "6" in parenthesis, but that staff would double check to make sure the changes were
 44 correct.
 45

46 **Motion by Commissioner Nabicht, seconded by Commissioner Schleicher to unanimously**
 47 **approve Ordinance No. 18-2013, that amends the Code of Ordinances Subpart B, Land**
 48 **Development Code, by adding, revising, and deleting certain provisions of Chapter 70, Section**
 49 **30, "Definitions"; Chapter 74, "Administration"; Chapter 75, "Site Plan"; Chapter 106,**
 50 **"Subdivisions"; and Chapter 110, "Zoning" at first reading and to schedule second and final**
 8
 Item 4A

1 **reading.**

2
 3 Vice Mayor Herzberg opened and closed the public hearing as there were no public comments.

4
 5 City Attorney Becky Vose read the title of Ordinance No. 18-2013.

6
 7 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING CODE OF**
 8 **ORDINANCES SUBPART B, LAND DEVELOPMENT CODE, BY ADDING, REVISING,**
 9 **AND DELETING CERTAIN PROVISIONS OF CHAPTER 70, SECTION 30**
 10 **“DEFINITIONS”; CHAPTER 74, “ADMINISTRATION”; CHAPTER 75, “SITE PLAN”;**
 11 **CHAPTER 106, “SUBDIVISION”; AND CHAPTER 110, “ZONING”; PROVIDING FOR**
 12 **CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

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

17
 18 Ordinance No. 18-2013 was approved at 6:59 p.m.

19
 20 **B. Public Hearing - Ordinance No. 01-2014, Tractor Supply Company Amendment to the**
 21 **Official Zoning Map (RZ13-007), at first reading and to schedule second and final reading.**

22
 23 Planning and Development Director Chris Bowley stated that a resident has expressed an interest in
 24 the application; the resident live on Sandlor Drive near the intersection of Tab Drive and Sandlor
 25 Drive, approximately 1,000 feet to the west of the site. The applicant has agreed to accommodate no
 26 access between Sandlor Drive and the resident’s property, and provide directional lighting, a fence,
 27 an extra buffer width of 30 feet instead of the code required 25 feet.

28
 29 **Motion by Commissioner Lowry, seconded by Commissioner Barnaby to unanimously**
 30 **approve Ordinance No. 01-2014, for the rezoning of approximately five (5) acres for Rural**
 31 **Residential (RR-C) to the City's C-1 Retail Commercial (Project RZ13-007), at first reading**
 32 **and to schedule second and final reading.**

33
 34 Vice Mayor Herzberg opened the public hearing.

35
 36 Rodney Honeycutt, Honeycutt & Associate Incorporated, 5195 South Washington Avenue,
 37 Titusville, Florida, stated his company did the Tractor Supply store in Mims, Florida, just North of
 38 Titusville, they have been invited to work on the Deltona Tractor Supply store, and he showed the
 39 Commission a picture of the Mims Tractor Supply store. He stated that the Mims Tractor Supply
 40 store manager, Mr. Steven Sword is being transferred to Deltona’s store, Tractor Supply always
 41 hires local people, with the exception of the manager, it hires 12-20 full time people, he is proud of
 42 the employee selection process and training, the company having one of the highest employee
 43 retention rates in the Nation, and he would appreciate the Commission’s acceptance of the project.
 44 He stated the intent is to try and open the store late in the Fall of 2014, and that streamlining the
 45 ordinance is an excellent way to help them accomplish their opening date goal.

46 Vice Mayor Herzberg closed the public hearing.

47
 48 City Attorney Becky Vose read the title of Ordinance No. 01-2014.

1 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELTONA,
 2 FLORIDA, BY AMENDING THE OFFICAL ZONING MAP FOR THE FOLLOWING
 3 PROPERTY: A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 19 SOUTH,
 4 RANGE 32 EAST AND BEING (A PART OF LOTS 14 THROUGH 25, BLOCK 203), (LOTS
 5 1 THROUGH 8, AND PART OF LOTS 9 THROUGH 16, BLOCK 403), AND (LOT 1, AND
 6 PART OF LOTS 2, 3, 5 AND UN-NUMBERED LOT IN BLOCK 601), TOGETHER WITH
 7 PORTIONS OF VACATED 1ST STREET EAST, 2ND STREET EAST AND PORTIONS OF
 8 VACATED ALLEYS ALL AS SHOWN ON THE PLAT OF 2ND ADDITION TO CARNELL
 9 AS RECORDED IN PLAT BOOK 10, PAGE 128 OF THE PUBLIC RECORDS OF
 10 VOLUSIA COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE
 11 PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE
 12 INTERSECTION OF THE EAST LINE OF THE WEST 995.4 FEET OF SAID SECTION 6
 13 WITH THE SOUTH RIGHT OF WAY LINE OF SANDLOR DRIVE AS SHOWN ON THE
 14 PLAT OF DELTONA LAKES AS RECORDED IN PLAT BOOK 28, PAGE 95 OF THE
 15 PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N.89°53'05"E., ALONG
 16 SAID RIGHT OF WAY LINE, 401.12 FEET TO THE POINT OF BEGINNING OF THE
 17 PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.89°53'05"E., ALONG
 18 SAID RIGHT OF WAY LINE AND THE EASTERLY PROLONGATION THEREOF, 854.00
 19 FEET TO A POINT LYING ON THE WESTERLY RIGHT OF WAY LINE OF STATE
 20 ROAD NO.415 AS SHOWN ON STATE ROAD RIGHT OF WAY MAP FOR STATE ROAD
 21 NO. 415, SECTION 79120, F.P. NO.407355 4 AND THE ARC OF A CIRCULAR CURVE,
 22 CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 3355.00 FEET AND TO WHICH
 23 POINT A RADIAL LINE BEARS N.45°57'40"W.; THENCE SOUTHWESTERLY, ALONG
 24 SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A
 25 CENTRAL ANGLE OF 06°56'37", 406.58 FEET; THENCE N.89°53'05"W., 589.13 FEET;
 26 THENCE N.00°06'55"W., 308.14 FEET TO THE POINT OF BEGINNING. CONTAINING
 27 5.07 ACRES MORE OR LESS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN
 28 EFFECTIVE DATE.
 29

30 Motion carried unanimously with members voting as follows: Commissioner Barnaby For;
 31 Commissioner Denizac, For; Commissioner Lowry, For; Commissioner Nabicht, For;
 32 Commissioner Schleicher, For; and Vice Mayor Herzberg, For.
 33

34 Ordinance No. 01-2014 was approved at 7:05 p.m.
 35

36 **9. OLD BUSINESS:**
 37

38 **A. Saxon Ridge Homeowners' Association – Acceptance of streets.**
 39

40 Vice Mayor Herzberg opened the public hearing.
 41

42 City Manager Dave Denny stated that the issue has been worked on for some time and that he feels
 43 an agreement has been reached between the City and the Saxon Ridge home owners group.
 44

45 City Attorney Becky Vose stated that she had provided the Commission with a revised page two (2)
 46 to the agreement which originally had a typographical error, that the President of the Saxon Ridge
 47 Home Owners Association (HOA) has seen the agreement and the revision, and that he is fine with
 48 the whole agreement.
 49

1 Commissioner Nabicht stated that he was uncomfortable with stormwater issues in the area, the
2 agreement does not clearly delineate where the stormwater system begins and ends, where the roads
3 begin and end, the curb and gutter portion of the stormwater system, that Saxon Ridge residents are
4 already paying stormwater fees in its taxes and he asked why the association would agree to be
5 responsible for stormwater system maintenance. He stated the agreement needs to clearly delineate
6 who is responsible for stormwater system issues, and where the stormwater system begins and ends.
7 Mrs. Vose replied that stormwater issues are addressed in paragraph five (5) of the agreement,
8 stormwater system failure and repair procedures were discussed, all property owners pay the
9 stormwater system assessment through taxes to pay for its portion of the City's overall stormwater
10 system, and the assessment is not directly related to whether or not a house is on the stormwater
11 system.

12
13 Commissioner Nabicht asked if possible stormwater system failures during emergencies and the
14 possibility of Federal Emergency Management Agency (FEMA) reimbursement was taken into
15 consideration when writing the agreement.

16
17 Edwin Lasanta, 459 Haversham Road, President of the Saxon Ridge Home Owners Association,
18 replied that since the inception of the association it has been responsible for the stormwater system,
19 part of the fees and dues collected each year is set aside as a reserve to pay for those types of
20 problems, there is \$55,000 dollars currently in the reserve fund, the association is willing to continue
21 to take care of the stormwater system as it always has, that the main concern is to get the streets
22 dedicated to the City as public streets, and not private streets because the streets are public and used
23 by everyone.

24
25 Commissioner Nabicht discussed possibly moving forward with just the roads portion of the
26 agreement, future changes to the Saxon Ridge HOA staff and possible effects on the agreement, and
27 County tax bills not being able to be changed by the Commission.

28
29 Commissioner Denizac stated that the Commission needs to look at the bigger picture, the agreement
30 needing to clearly address stormwater issues that could potentially run into millions of dollars, and
31 she asked what happens if a house goes into foreclosure and the house has an assessment against it,
32 and Mrs. Vose replied that liens are part of a tax bill, people are not allowed to make a partial
33 payment to a tax bill, people either pay their taxes or do not, and that tax bills are different than Code
34 Enforcement liens.

35
36 Commissioner Denizac asked Mr. Denny to provide an estimated cost for possible stormwater
37 system failure, and Mr. Denny replied both stormwater system or road failure could be very
38 expensive for the City, and cost would be dependent on each situation. He also stated the Saxon
39 Ridge HOA has accepted the terms of the agreement, that his concern pertaining to stormwater
40 system failure causing a road to fail is addressed in paragraph five (5), the curb and gutter issues
41 could possibly be better identified, but other than that, staff awaits the Commission's decision.

42
43 Commissioner Barnaby stated that he is in support of the agreement, he thanked the City Attorney
44 and City Manager for addressing some of the fears mentioned, the fears mentioned are hypothetical
45 in nature, failure has been addressed in paragraph five (5), and that both Charter Officers have
46 concurred the City should move forward with the agreement.

47

1 **Motion by Commissioner Barnaby, seconded by Commissioner Schleicher to unanimously**
 2 **approve the Settlement Agreement with Saxon Ridge Homeowners' Association.**

3
 4 The Commission and staff discussed the definition of “promptly” in the agreement, being furthered
 5 defined as within 10 working days, or immediately if it is an emergency.

6
 7 **Motion carried with members voting as follows:**

8
 9 **Commissioner Barnaby** **For**
 10 **Commissioner Denizac** **For**
 11 **Commissioner Lowry** **For**
 12 **Commissioner Nabicht** **Against**
 13 **Commissioner Schleicher** **For**
 14 **Vice Mayor Herzberg** **For**
 15

16 **B. Bus Benches – Update – Waverly Media and Maverick Bench Media.**

17
 18 Agenda item was pulled by City Attorney, Becky Vose.

19
 20 **10. NEW BUSINESS:**

21
 22 **A. Request for consideration of a Commercial Sewer Feasibility Study of the Saxon/N.**
 23 **Normandy Blvd. intersection area.**

24
 25 City Manager Dave Denny stated that a drawback to economic development is the lack of sanitary
 26 sewer in the area of Saxon and Normandy Boulevards, up to the Interstate 4 (I4) which has been
 27 discussed on several occasions, there is a small sewer system in back of the Publix but it is in no way
 28 large enough to handle the entire area. In discussing the issue with one of the engineers the City has
 29 under contract, it gave the City a price of \$10,600 dollars to conduct the feasibility study of the area
 30 which would include how the City would get that amount of waste water to the Fisher Waste Water
 31 Treatment Plant off Providence Boulevard. The second part of the request is that the fee to pay the
 32 engineer be taken out of the \$1,000,000 dollars set aside by the Commission for economic development
 33 infrastructure improvements.
 34

35 Commissioner Schleicher stated that the study was a “have to have” study for future economic
 36 development in the area, and she asked if the study also covered residential hook-up, and Mr. Denny
 37 replied commercial only, that although there are some homes in the area, it does have a commercial
 38 overlay.
 39

40 **Motion by Commissioner Lowry, seconded by Commissioner Barnaby to direct staff to**
 41 **commence with the sanitary sewer feasibility study of the Saxon/N. Normandy Blvd.**
 42 **intersection area.**

43
 44 Commissioner Nabicht asked if staff has discussed the study or coordinated with the Florida
 45 Department of Transportation (FDOT) and its possible plan to widen Saxon Boulevard at least up to
 46 Normandy Boulevard, maybe as far as Tivoli Road, and the Transportation Planning Organization
 47 (TPO) discussions about possibly funding that project and Mr. Denny relied “yes” staff would have
 48 to coordinate with FDOT and Volusia County.
 49

1 Commissioner Schleicher asked if the engineering firm could also look at the feasibility of putting in
 2 gray water lines, and Mr. Denny replied “yes” but that it would be quite a way to run an existing
 3 gray line that has treated affluent in it down to that location, but he would have it looked at.
 4

5 Commissioner Denizac asked if the study would provide a better picture of how much it will cost
 6 citizens to put sewer in that area, and Mr. Denny replied “yes” the study is to look at the practicality
 7 of the distance involved and what the costs would be for improvements not only in the immediate
 8 area but also look at any improvements needed to the system between there and the Fisher Waste
 9 Water Treatment Plant.
 10

11 **Amended motion by Commissioner Barnaby, that under no circumstances are residents to be**
 12 **forced, or mandated to hook-up to sewer lines.**
 13

14 **Amended motion died for lack of a second.**
 15

16 Commissioner Barnaby stated he is not in favor of, nor does he believe in forcing residents to hook-
 17 up to sewer.
 18

19 Vice Mayor Herzberg stated that the motion is just to commence a feasibility study, and that the
 20 more appropriate time to see how many, if any residential parcels would be impacted is after the
 21 study.
 22

23 Mr. Denny stated that once the study is completed, before anything is done it would come back to
 24 the Commission, there is no intent to require residential hook-up or to change an ordinance, and that
 25 City ordinances already require commercial businesses to hook-up to sanitary sewer as long as it is
 26 within a quarter of a mile.
 27

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

32 **11. CITY ATTORNEY COMMENTS:** None.
 33

34 **12. CITY MANAGER COMMENTS:**
 35

36 City Manager Dave Denny stated that the City has received an offer for the full asking price on the
 37 Dupont Lakes property and he asked the Commission for permission to sign the offer and move
 38 forward with the process.
 39

40 Commissioner Nabicht stated that he was not comfortable with taking the property off the market for
 41 120 days, that if it is taken off the market the escrow money belongs to the City, and that the
 42 property should remain on the market for other possible offers.
 43

44 City Attorney Becky Vose recommended the City leave the property on the market and to instruct
 45 the City’s realtor for the DuPont Lakes property to accept backup offers.
 46

47 Commissioner Denizac stated she is in favor of the sale, she also suggested having an appraisal done
 48 for the public works property on Howland Boulevard, and to put the property on the market.

1
 2 **Motion by Commissioner Barnaby, second by Commissioner Nabicht to accept the full asking**
 3 **price for the Dupont Lakes property, and to provide the City Manager permission to move**
 4 **forward with the sale.**

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

9
 10 Mrs. Vose recommended opening the issue for public comment before voting, and to vote again at the
 11 conclusion of any public comments.

12
 13 Vice Mayor Herzberg opened and closed the public hearing as there were no public comments.

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

18
 19 **A. Lobbyist Update:**

- 20
 21 1) There is an untitled Bill being discussed in Tallahassee pertaining to economic
 22 development, amending Florida Statute 163-3180, prohibiting a local government from
 23 applying transportation concurrency or requiring proportionate-share contributions or
 24 construction for a new business development for a specific amount of time.
 25
 26 2) There is a similar untitled Bill being discussed in Tallahassee pertaining to economic
 27 development, amending Florida Statute 163.31801, prohibiting a county, municipality, or
 28 special district from imposing certain new or existing impact fees on a new business
 29 development for a specific period.
 30
 31 3) The Senate Banking and Insurance Committee reported favorably on Senate Bill 542,
 32 which if passed, the legislation will provide relief to homeowners experiencing large
 33 increase in premiums resulting from the 2012 Federal Legislation aimed at
 34 supplementing the underfunded National Flood Insurance program.
 35
 36 4) US Census Bureau released updated statistics showing Florida trailing New York in total
 37 population by less than 100,000 residents, it predicts Florida will pass New York within
 38 the next year, Florida currently has approximately 19.6 million residents, which is
 39 230,000 more than last year and 750,000 more than the 2010 census.
 40
 41 5) Senate Bill 246 which seeks to amend local government pensions, Florida League of
 42 Cities is opposed to the bill, and he will provide Commission feedback to the Lobbyist.
 43
 44 6) Senate Bill 510 which authorizes local government neighborhood improvement districts
 45 (NIDs) to borrow money and incur debt, pledging special assessments to meet such
 46 obligations.
 47
 48 7) Senate Bill 538 which will provide an exemption from public records requirements for
 49 email addresses obtained by the tax collector.

- 1
 2 8) Florida is to receive \$100 million dollars in funding for “Visit Florida” which will enable
 3 the Sunshine State to do year round marketing to domestic and foreign visitors, and assist
 4 communities in attracting direct international visitors to the State and communities.
 5
 6 9) The Florida Department of Transportation (FDOT) will receive \$8.8 billion dollars to
 7 make strategic transportation improvements throughout the State. This will fully fund the
 8 Florida Department of Transportation’s Work Program and continue vital investments in
 9 port construction, bridge and other transportation infrastructure improvements.
 10

11 **13. CITY COMMISSION COMMENTS:**
 12

13 a) Commissioner Barnaby congratulated Vice Mayor Herzberg for a great job managing the
 14 meeting, extended his prayers to Mayor Masiarczyk for a healthy recovery, thanked the Commission for
 15 supporting him during his tenure as a Deltona Commissioner, he is proud to be a Deltona resident, that
 16 he announced his candidacy for the County Council at Large representative in Volusia County on
 17 January 15, 2014, his son’s birthday and birthday of one of his heroes and great republican, Doctor
 18 Martin Luther King Jr. He stated he wants to bring about change for Deltona to establish it as a place
 19 people want to come to, and to benefit all Volusia County cities. He thanked Vice Mayor Herzberg for
 20 being mistress of ceremonies during the Martin Luther King prayer breakfast held at the Deltona Lakes
 21 Baptist Church, and Mr. Mike Williams from Dreamkeepers for being an advocate for establishing
 22 racial tranquillity, for the homeless, and the poor. He stated he will work hard to establish a homeless
 23 shelter in Deltona, and he asked to hear from the business community on partnering ideas to help the
 24 less fortunate, that he loves serving people, and that he is proud to serve in Volusia County.
 25

26 b) Commissioner Denizac congratulated Vice Mayor Herzberg for a great job managing the
 27 meeting, and she thanked her for the outstanding job she did representing the City as mistress of
 28 ceremonies for the Martin Luther King breakfast. She stated she is serious in suggesting the City
 29 relocate public works and put the property on the market, encouraged Commissioners to bring the issue
 30 up at the next workshop, and she wants to continue on the trend of making things happen in Deltona.
 31

32 c) Commissioner Nabicht stated that last week several Commissioners had the opportunity to attend
 33 the Team Volusia Economic Summit, congratulated John Wannamaker for being selected as the new
 34 Team Volusia leader, Mr. Wannamaker used to be a Deltona firefighter, and he definitely has Deltona
 35 and Volusia County at heart when he talks about bringing economic development to the area. He stated
 36 there is a lot coming to Deltona in the future, that water is a topic of conversation in all cities and he
 37 encouraged all Commissioners as budget time comes around again, in coordination with economic
 38 development, to consider all possibilities of investing in the future of the City’s water system, reclaimed
 39 water, and alternative water sources. He discussed the benefits to all cities of Florida’s water districts
 40 falling under the supervision of the Department of Environmental Protection (DEP), the DEP forms and
 41 permitting process being streamlined but some of its rules and restrictions are a little tighter, which
 42 could possibly cause an unintended delay in projects.
 43

44 d) Commissioner Schleicher stated that the Sterling Park development rezoning will be discussed at
 45 the P&Z Board meeting on February 19, 2014, the importance of making sure the Sterling Park
 46 Homeowners Association is aware of the meeting, and Mr. Denny replied that the HOA is aware of the
 47 meeting and are represented by Attorney Darren Elkind who has been informed of the meeting. She
 48 discussed the Charter Review timeline and she asked when the Charter Review Committee (CRC)

1 update would come before the Commission, and Mrs. Vose replied “at the next meeting”. She asked
2 for the following topics to be added to future Commission meetings for discussion: an update on
3 Brownfields, a review of event fees, the possibility of establishing a waiver donation policy, and Florida
4 League of Cities (FLC) voting at the next FLC legislative meeting on whether or not cities will be
5 required to join the Volusia Council of Governments (VCOG).

6
7 e) Commissioner Lowry asked for an update on the Scrubjays study, and Mr. Denny replied that the
8 City heard back from the consultant, staff had a meeting to discuss the study, and he should have an
9 update prepared for the Commission very soon. He concurred with Commissioner Denizac’s
10 suggestion to put the public works property on the market, and he thanked City staff for the yeoman’s
11 job on streamlining processes. He stated he attended the MLK breakfast and the gospel singing at the
12 Alliance Church, which actually started at the Deltona Lakes Baptist Church many years ago, and he
13 thanked Mike Williams and the Dreamkeepers for the magnificent job it did on the MLK weekend.

14
15 f) Vice Mayor Herzberg congratulated Mr. Lasanta on the Saxon Ridge agreement and she thanked
16 him for his perseverance and dedication to his community. The Boys and Girls Club now has a new
17 way to figure out who goes to which clubs by zip code, between Deltona’s two (2) zip codes the City
18 has 367 kids that go to the Harris Saxon club, the City has a good turnout for a boys and girls club, and
19 that in time maybe the City could consider a much needed second location in another part of the City.
20 She stated the Team Volusia annual meeting and MLK breakfast were both great events and were well
21 attended by the City, she sees the Commission coming together as a team and providing more
22 Commission representation at other City and community events, she attended a homelessness and a
23 Safe Harbor presentation on January 10, 2014, the VCOG and VLC visit to observe Pinellas County’s
24 Homeless program, and VCOG/VLC’S agreement that would require buy-in from all business,
25 municipality and government agencies to develop a homelessness program,

26
27 The Commission discussed when to review whether or not to join VCOG, how much VCOG
28 membership costs, VCOG and VLC memberships being combined together, meaning a City cannot be a
29 member of only one of the organizations, and how the homeless issue is affected by VCOG and FLC
30 combining.

31
32 **After discussion, the Commission concurred to discuss VCOG membership at a later**
33 **Commission Workshop.**

34
35 Vice Mayor Herzberg concurred with Commissioner Denizac’s suggestion to put the public works
36 property on the market, she thanked everyone for assisting with the meeting, and she wished Mayor
37 Masiarczyk a speedy recovery.

38
39 **14. ADJOURNMENT:**

40
41 There being no further business, the meeting adjourned at 7:54 p.m.

42
43
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48

Heidi Herzberg, Vice Mayor

1 **ATTEST:**

2

3

4

5 **Mitch Honaker, Deputy City Clerk**



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 2/3/2014
FROM: William D. Denny, City Manager **AGENDA ITEM:** 5 - A
SUBJECT: Presentation - Super Star Student of the Month Certificates for January 2014.

LOCATION:

N/A

BACKGROUND:

Superstar Student of the Month awards for January 2014, will be presented to:

1. Deltona Lakes Elementary, Mallory Gonz, 2nd Grade
2. Discovery Elementary, Re'nique Leopold, 1st Grade
3. Enterprise Elementary, Dominick Rizzo, 4th Grade
4. Friendship Elementary, Robert Hylton, 5th Grade
5. Pride Elementary, Nicholas Githens, 3rd Grade
6. Spirit Elementary, Shaun Souder, Kindergarten
7. Sunrise Elementary, Chloe Hack 5th Grade
8. Timbercrest Elementary, Peyton Auld, 2nd Grade
9. Galaxy Middle, Keyla Gonzalez Ramirez, 6th Grade
10. Heritage Middle, Hunter Badura, 7th Grade
11. Deltona High, Jessica MacFarlane, 12th Grade

ORIGINATING DEPARTMENT:

City Manager's Office

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

City Clerk

STAFF RECOMMENDATION PRESENTED BY:

N/A - Presentation Only.

POTENTIAL

MOTION:

N/A - Presentation Only.

**AGENDA ITEM
APPROVED BY:**

William D. Denny, City Manager

ATTACHMENTS:

- Super Star Student Achievements

Super Star Students Read File – January 2014, presented on February 3, 2014.

Teacher	School	Student	Grade	Reading Comments on Student Achievements
Mrs. Misty Shock	Deltona Lakes Elementary	Mallory Gonz	2nd	<p>Mallory Gonz, a 2nd grade student at Deltona Lakes Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence; she has high academic standards and has maintained good grades since the school year began. • Friendliness and cooperation; she is always kind to everyone and sets a great example when interacting with her peers. • Responsibility; Mallory always completes her work and provides a great example of a student going above and beyond for citizenship, leadership, as well as responsibility.
Mrs. Wallace	Discovery Elementary	Re'nique Leopold	1st	<p>Re'nique Leopold, a 1st grade student at Discovery Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence; she demonstrates a consistent and thorough understanding in all subject areas. • Outstanding work ethic; she is a model student whose enthusiasm for learning is infectious and refreshing! • Citizenship; Re'nique sets a daily example in our classroom for being cooperative, responsible and respectful. • She is always eager to help her teacher and peers.
Mrs. Michele McFall- Conte	Enterprise Elementary	Dominick Rizzo	4th	<p>Dominick Rizzo, a 4th grade student from Enterprise Elementary, is receiving a Super Star Certificate for being:</p> <ul style="list-style-type: none"> • Hardworking. • He is a good helper in class. • Dominick is always on task with assignments. • He models appropriate behavior for the other students in the class.

Mrs. Pohl	Friendship Elementary	Robert Hylton	5th	<p>Robert Hylton, a 5th grade student from Friendship Elementary, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence; he is maintaining straight A's. • He is responsible, as demonstrated in his performance as a Safety Patrol. • Robert helps others in class as a peer tutor, and is always ready to offer assistance in a kind and friendly way. • He is active in after school football as well as the Honor Society.
Mrs. Rotondo	Pride Elementary	Nicholas Githens	3rd	<p>Nicholas Githens, 3rd grade student from Pride Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence; he is maintaining straight A's. • He is responsible, as demonstrated in his performance as classroom role model. • Nicholas helps others in class as a peer tutor, and is always ready to offer assistance. • He is very well mannered, friendly and kindhearted. • Nicholas has a wonderful spirit for learning and his teacher is proud that he is her student this year.
Mrs. Gaetjens	Spirit Elementary	Shaun Souder	Kindergarten	<p>Shaun Souder, a Kindergarten student at Spirit Elementary is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Superior academics: Shaun is excelling in all academic areas. He is above grade level in reading and math. • He loves to participate in class discussions and always puts 100% effort in his class work. • He is always kind to his classmates and is always willing to help a friend in need. • Shaun is a positive leader and sets a fine example for other students. • He is an outstanding leader and role model in class. He makes a superior effort to be successful and responsible.

Mrs. Scorpio	Sunrise Elementary	Chloe Hack	5th	<p>Chloe Hack, a 5th grade student from Sunrise Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence; she is maintaining straight A's. • She is responsible; News Crew 1st Quarter. • Chloe helps others in class as a peer tutor, and is always ready to offer assistance in a kind and friendly way. • Chloe is an avid reader, very curious, and has a thirst for learning.
Ms. Hess	Timbercrest Elementary	Peyton Auld	2nd	<p>Peyton Auld, a 2nd grade student from Timbercrest Elementary School, is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence; he has earned straight A's for the first half of the year. • He is responsible, as demonstrated in his peer relationships, and his responsiveness in the classroom. • Peyton's knowledge will take him far in the world. He is a kind and compassionate student who would help anyone who is in need. His smile can bring light to any gloomy day!
Ms. Norris	Galaxy Middle	Keyla Gonzalez Ramirez	6th	<p>Keyla Gonzalez Ramirez, a 6th grade student from Galaxy Middle School is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence; she is maintaining Honor Roll with all A's and only 3 B's this year. • Keyla goes above and beyond to do her best every day and is very successful in all of her classes. • Keyla is also a very talented writer. One of the best her teacher has seen in a while. • She is cheerful and kind, and an absolute joy in class.

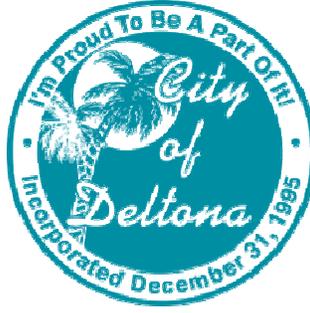
<p>Ms. Hauser, Ms. Lachman, & Ms. Peters</p>	<p>Heritage Middle</p>	<p>Hunter Badura</p>	<p>7th</p>	<p>Hunter Badura, a 7th grade student from Heritage Middle School is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Academic excellence and exemplary conduct. • Maintaining straight A's in all his classes. • Hunter is a role model within the classroom. • He challenges himself, as well as his classmates, with thoughtful discussion. He motivates his peers by using kind, encouraging words whenever there is a collaborative assignment. • Hunter goes above and beyond what is expected of him, even taking that “extra second” to make sure he leaves his classroom area more organized than he found it.
<p>Ms. Alisha Kellett</p>	<p>Deltona High</p>	<p>Jessica MacFarlane</p>	<p>12th</p>	<p>Jessica MacFarlane, a 12th grade student from Deltona High School is receiving a Super Star certificate for:</p> <ul style="list-style-type: none"> • Being a member of the Health Services Academy and the school's agriculture program, and President of FFA the last 2 year. • She is an Early College student. • She manages her time wisely, as evident by her academic success as well as her commitment to the Health Academy/ HOSA and Agriculture/FFA. • Jessica is a leader among her peers and serves the student body in a mentor type way. She encourages others to get involved and to stay focused in their course work!



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 2/3/2014
FROM: William D. Denny, City Manager **AGENDA ITEM:** 5 - B
SUBJECT: Presentation - Quarterly Reports of City Advisory Boards/Committees.

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



DELTONA ECONOMIC DEVELOPMENT ADVISORY BOARD

Q4 2013

Quarterly Report to Deltona City Commission

February 3, 2014

by: Rick Demeter, DEDAB Chairperson

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Educational (*Campus*) & Medical (*Facilities*) Research Sub-Committee

---and---

Commerce Park Research Sub-Committee



DELTONA ECONOMIC DEVELOPMENT ADVISORY BOARD

Educational & Medical Research Sub-Committee

Quarterly Report to DEDAB, Q4 2013

ASSIGNMENTS / TASKS

This DEDAB Sub-Committee was created on August 15, 2011, and assigned the task of performing the advisory research role for (1) an Educational Campus and (2) a Medical Complex in Deltona. The Sub-Committee will continue its Commission-assigned task, and will report quarterly on progress made.

GENERAL REPORT

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

This Sub-Committee has been actively recruiting membership due to the recent loss of members.

EDUCATIONAL CAMPUS & MEDICAL COMPLEX

The Educational and Medical Research Sub-Committee is currently conducting two projects, as follows:

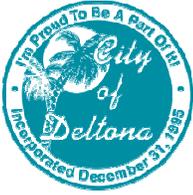
1. **Educational Research:**

In conjunction with the Medical Facilities Project, determine the most promising way to attract medical and other training facilities and opportunities (medical office administration, nursing assistant, nursing, etc.) to the City of Deltona.

- The Sub-committee's efforts are focused on a review of the "*Bootstrap Project*" (copy attached). Dr. Katrina Bell, Dean, School of Adult Education and Division of Alternative Student Services, presented to the Sub-committee on November 8, regarding the number of adult enrollees for the GED Program and aspects of that program at Daytona State College (Deltona Campus).

2. **Medical Research:**

- Sub-committee continues to review of the most practical ways to attract more medical practitioners to the City of Deltona.



DELTONA ECONOMIC DEVELOPMENT ADVISORY BOARD

Commerce Park Research Sub-Committee Quarterly Report to DEDAB, Q4 2013

ASSIGNMENTS / TASKS

This DEDAB Sub-Committee was created on August 15, 2011, and assigned the task of performing the advisory role for (1) The development of a Micro-Incubator for the City of Deltona and (2) The development an Eco-Tourism based economy in the south side of the City of Deltona, incorporating City, County, and Community partners/stakeholders. The Sub-Committee will continue its Commission-assigned task, and will report quarterly on progress made.

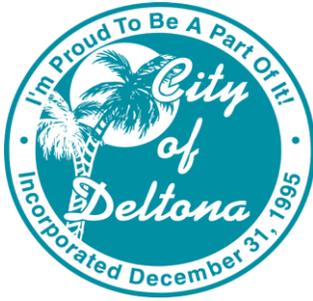
GENERAL REPORT

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

COMMERCE PARK RESEARCH SUB-COMMITTEE

Identify and approach, meet and obtain ideas from each area stakeholder and utilize these ideas toward the proposal for a workable “business, industrial, commerce park concept”.

- Continued meetings and/or discussions have taken place between City staff and the utilities that will be providing services to the designated area, being Duke Energy, Florida Public Utilities, Bright House Communications, and the Volusia County Water and Utility Services Group.
- Discussions have taken place between City staff and the owners of the properties currently under consideration.
- City staff has provided input to the Sub-committee in regards to the “*utilities discussions*” and the “*ownership discussions*”.
- Team Volusia Economic Development Corporation engaged the Boyette Strategic Advisors so do a site assessment report for the City of Deltona. This report was submitted to the City of Deltona Office of Economic Development on December 9 and was presented to the TVEDC Board of Directors on December 13.
QUOTE FROM SITE REPORT: “*The I-4 Commerce Park in Deltona is one of the last remaining large-scale distribution sites left at an interchange along I-4... ”.*”
- Project research by the Sub-committee continues as City staff continues working with the property owners, the utility providers, and any potential developers.



City of Deltona

FOURTH QUARTER 2013 PLANNING & ZONING (P&Z) BOARD REPORT

MEETING DATES:

A Planning & Zoning Board (Board) meeting was held on October 16, 2013, and on December 18, 2013. There was no meeting in November of 2013.

ITEMS HEARD AT THE PLANNING & ZONING MEETINGS:

COMPREHENSIVE PLAN AMENDMENTS	1
REZONINGS/ORDINANCES/FINAL SITE PLANS	3
VARIANCES	0
DISCUSSIONS/ORIENTATION	3

REZONINGS/ORDINANCES/FINAL SITE PLANS:

A. Ordinance No. 15-2013: (Project No. RZ 13-006), An amendment to the Business Planned Unit Development (BPUD) for the property known as Deltona Landings located at 901 Doyle Road.

The Board voted 4 to 1 to recommend that the City Commission adopt Ordinance No. 15-2013 that allows the reuse of a former bank building located within the Deltona Landings Plaza. The Deltona Landings complex was approved as a BPUD and the list of permitted uses for that PUD did not include a provision for an Attended Donation Center. Although Retail Specialty Shop is a permitted use within the Land Development Code for commercial zoning, the proposed Goodwill facility will not have a retail component. Thus, the rezoning for the Goodwill Industries site is to allow for a new use, Attended Donation Center, as a permitted use within the BPUD. This use allows for reuse of the vacant former bank building.

B. Ordinance No. 18-2013: Land Development Code Amendments – Phase II-B.

The Board voted 5 to 1 to recommend that the City Commission adopt Ordinance No. 18-2013 to amend the Land Development Code Phase II-B amendment package that includes the group of amendments, primarily to Chapter 70 (definitions), Chapter 74 (process content, checklist, and operations), Chapter 75 (adding in a new chapter for site plans), Chapter 106 (streamlining the subdivision process), and Chapter 110 (cleanup with setbacks for planned unit developments and for fences).

C. Ordinance No. 17-2013: Amending the Comprehensive Plan of the City of Deltona, by amending the Capital Improvements Element (CIE) providing for the replacement of the Capital Improvement Project Sheets.

The Board voted 5 to 1 to recommend that the City Commission adopt Ordinance No. 17-2013 that approves the annual update to the City's Capital Improvements Element (CIE) of the Comprehensive Plan. The State of Florida allows for annual updates to the CIE, but no longer requires it. However, the City continues to undertake the process to keep us in good standing with the State, the process provides a good system of checks and balances for capital projects in keeping with the Comprehensive Plan, and facilitates a more thorough and accurate process for the State mandated Evaluation and Appraisal Report. The Board commented on a typo on Page 22 of the document and that has been corrected.

D. Ordinance No. 01-2014: (Project No. RZ 13-007), Amendment to the Official Zoning Map for the planned Tractor Supply Company site.

The Board voted unanimously to recommend that the City Commission adopt Ordinance No. 01-2014 that rezones approximately 5-acres of the Pell property located north of the intersection of SR 415 and Howland Boulevard, south of Ft. Smith Boulevard, and along the west side of SR 415. The proposed use for this site is for a Tractor Supply Company retail store, similar to the prototype recently constructed in Mims, Florida. Neighbors to the north of the site along Sandlor Drive spoke in opposition of the project, but stated that if approved, conditions of approval be added to ensure land use compatibility along the project's north side (screening and buffering), restrict access onto Sandlor Drive, inclusion of a fence along the project's north side, and inclusion of directional site lighting away from the neighborhood. The applicant agreed to comply with these measures and will provide an additional buffer width above the Code minimum requirement.

E. Ordinance No. 02-2014: (Project No. RZ 13-008), BPUD Rezoning for the Saxon-Sterling Silver property.

This item was continued to the date-certain February 19, 2014, Board meeting with no discussion or hearing of the ordinance occurring. The motion to continue this item to the February 19, 2014, meeting was approved unanimously by the Board.

DISCUSSIONS/ORIENTATION:

A. By the Board.

The Board mentioned that it liked the format and presentation of material to help make a decision on an item. Members also appreciated the dialogue to answer questions and determine a solution. Members asked staff at the October meeting when the Land

City of Deltona, Florida
P&Z 4th Quarter 2013 Report
January 8, 2014
Page 3 of 3

Development Code Phase II-B Amendment package was coming before them for review, which was presented at the December meeting.

B. By the City Attorney:

The City Attorney reviewed the process of ex-parte communication to the Board, so that if it occurs, the members make notation to bring it up at the next scheduled hearing.

C. By Planning & Development Services Staff:

Staff notified the Board that the Federal Emergency Management Agency (FEMA) contacted the City about the adoption of a new model Floodplain Management Ordinance using FEMA's template. The new ordinance is inclusive of updated language concerning building codes and the ordinance has to be adopted by the date of the new Flood Insurance Rate Maps, dated February 19, 2014.

**City of Deltona, Firefighters' Pension Plan
Board of Trustees Quarterly Report
Quarter Ended December 31, 2013**

Board of Trustees:

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

Quarterly Administration Highlights:

1. Board Member Changes and Appointments –

- a. Board of Trustee Frank Snyder originally appointed October 2011 by the active pension members retired from service to the City and the pension plan on September 26, 2013. Mr. Snyder was replaced by Mike Maples, who was elected by majority vote of the active voting members of the plan to represent them November 2013.
- b. Board of Trustee Darien LaBoy originally appointed June 2013 by the City Commission expressed her need to resign from the Board at the October 15, 2013 meeting as the time commitment to fulfill her duties as a Board member was too great. Ms. LaBoy was replaced by Gene Gizzi, who was appointed through vote of the City Commission on December 16, 2013.
- c. Board of Trustee James Koczan, and current Chairman, originally appointed February 2008 by the other four Board members as the statutory fifth member of the Board was up for reappointment by the Board at their January 21, 2013 meeting. The Board reappointed Mr. Koczan as the fifth member appointment. The action will be brought forward to the City Commission for ratification per statutory guidelines.

2. **Ordinance Revisions-** Based on Article 36 of the City's Contract with Local 2913, the Board has formulated a recommendation that would enhance benefits of the current pension plan utilizing the available state premium tax dollars restricted for such purpose to pay for the proposed enhancements. The Plan Attorney drafted an Ordinance containing the proposed revisions which was reviewed by the Board on October 15, 2013. Modifications were made and final review by the Board was conducted December 4, 2013.

February 3, 2014

Page 1 of 2

3. **Investment Summary as of December 31, 2013 totaling \$18,690,072:**

Domestic Equity	\$ 9,167,849
International Equity	\$ 2,744,806
Fixed Income	\$ 5,871,573
Money Market	\$ 905,844

The quarterly return for the period ended December 31, 2013 was 6%, annual 16.05% and 5 year 11.98%. A large pick-up for the quarter. Up from \$17,504,400 for the period ended September 30, 2013. For that same fiscal period the annual return was 10.09% and the 5 year return 6.51%.

4. **Quarterly Board Meeting** – The next meeting of the Board of Trustees will be held on February 19, 2014 at 5:00pm at the Deltona Municipal Complex.



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 2/3/2014
FROM: William D. Denny, City Manager **AGENDA ITEM:** 7 - A
SUBJECT: Request for approval to award quote for Builders Risk Insurance on the Eastern Water Reclamation Facility construction project.

LOCATION:

Eastern Water Reclamation Facility

BACKGROUND:

Public Works, with the assistance and input from the City's Risk Manager, requested proposals from insurance companies to provide Builders Risk Insurance coverage for the Eastern Water Reclamation Facility construction project. This coverage would protect the City's property at the Eastern WRF site and the buildings during the construction portion of the project. This coverage can be carried by the General Contractor during construction of the project. However, because of the magnitude of this project, it would be less expensive for the City to purchase this coverage directly from an insurance provider, versus the General Contractor purchasing and passing along those costs to the City.

The City contacted its current Broker for Property and Casualty Insurance and requested a solicitation seeking quotes for Builders Risk Insurance. Five (5) proposals were submitted. After review it was the consensus of Public Works and the Risk Manager that the City should obtain this coverage from the American Zurich Insurance Company. The Zurich proposal, while not the lowest cost, provided the best coverage and the most value. It has all the lines of coverage necessary and the lowest deductible for the most significant peril, windstorm damage. Zurich has a very high rating and financial solvency.

ORIGINATING DEPARTMENT:

Public Works/Deltona Water

SOURCE OF FUNDS:

Enterprise Fund - Capital

COST:

\$73,828.00

REVIEWED BY:

Risk Manager, Public Works Director

**STAFF
RECOMMENDATION
PRESENTED BY:**

Gerald Chancellor, Public Works Director and Nick Sassic, Risk Manager - Staff recommends making award of the proposal for Builders Risk Insurance to American Zurich Insurance Company at a total cost of \$73,828.00.

**POTENTIAL
MOTION:**

"I move to make award of proposal to provide Builders Risk Insurance on the Eastern Water Reclamation Facility construction project to American Zurich Insurance Company at a total cost of \$73,828.00."

**AGENDA ITEM
APPROVED BY:**

William D. Denny, City Manager

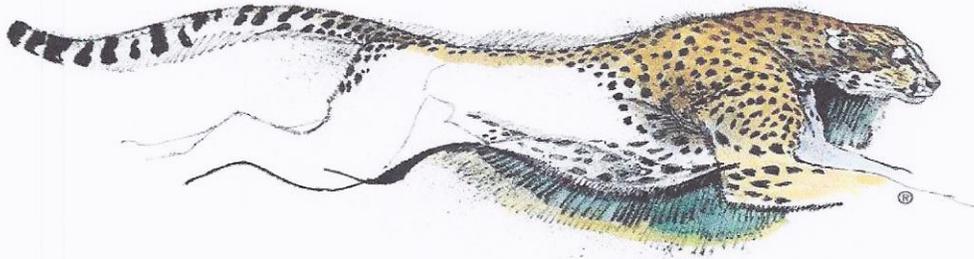
ATTACHMENTS:

- Tabulation of Proposals
- Builders Risk Proposal

City of Deltona
 Eastern Water Reclamation Facility Builders Risk QUOTE Comparison
 As of 1/15/14

Terms & Conditions	Zurich	Houston	Hartford	Starr	PGIT
Issuing Company		Houston Casualty	Hartford Fire		
Admitted or Non-Admitted	American Zurich Admitted	Non-Admitted	Admitted	ACE	
Policy Term Quoted	2/15/14-11/15/15	1/15/14-10/1/15	1/8/14-11/8/15	1/15/14-10/1/15	1/3/2014-10/1/2014
	21 Months	20 1/2 Months	22 Months	20 1/2 Months	10 Months
Limits					
Building	\$24,242,000	\$24,242,000	\$24,242,000	\$24,242,000	\$24,242,000
Wind	\$24,242,000	\$24,242,000	\$24,242,000	\$10,000,000	\$24,242,000
Flood	Not Covered	\$24,242,000	Not Available	\$5,000,000	\$1,000,000
Earth Movement/Earthquake	\$24,242,000	\$24,242,000	Not Covered	\$5,000,000	\$5,000,000
Transit	\$500,000	\$500,000	\$100,000	TBD	\$250,000
Temporary Location	\$500,000	\$250,000	\$100,000	TBD	
Testing	\$24,242,000	Included	Included	Included	
Equipment Breakdown	Included in Testing	Including in Testing	\$24,242,000	Included	\$24,242,000
Debris Removal	\$1,000,000	Not Covered	Not Covered	Not Covered	\$750,000
Business Income-Option	\$1,000,000	Not Covered	Not Covered	Not Covered	\$1,000,000
Extra Expense-Option	\$1,000,000	\$100,000	Not Covered	Not Covered	\$1,000,000
Soft Costs-Option	\$250,000	Not Covered	Not Covered	Not Covered	Not Available
Terrorism	Included				
Deductibles					
All Other Perils	\$25,000	\$25,000	\$5,000	\$25,000	\$1,000
Wind/Hail or Named Storm	Named Storm	Named Storm	Wind/Hail	Named Windstorm	Named Windstorm
Deductible at Time of Risk	1%/\$25,000	3%/\$100,000; All Other Windstorm-\$25,000	3%/\$120,000	5%/\$100,000	5%/\$10,000 - Per Structure
Wind % of TIV	\$242,420	\$727,260	\$727,260	\$1,212,100	\$1,212,100
Flood	N/A	5%/\$250,000	N/A	TBD	\$1,000
Earth Movement	\$25,000	\$50,000	N/A	TBD	\$1,000
Testing	\$25,000	\$25,000	N/A	\$25,000	\$1,000 (Equipment Breakdown deductible)
Soft Costs	21 Consecutive Day Waiting Period				Included
Extra Expense	Included				Included
Premium				Indication Only	10 Months Only
Building	\$59,639	\$113,000	\$62,302	\$100,000	\$73,987.00
Flood	Not Covered	Included	Not Available	Included	Included
Earth Movement	\$2,966	Included	N/A	TBD	Included
Equipment Breakdown/Testing	\$5,784	Included	\$2,667	Included	Included
Extra Expense	\$3,007		N/A	TBD	Included
Soft Costs	\$712	Not Covered	N/A	Included	N/A
Debris Removal	\$236		N/A	Included	Included
Terrorism	Included - No charge	\$4,234	\$1,949	TBD	Not Included
Surcharges	\$1,484	\$2,735	\$870	TBD	N/A
Grand Total	\$73,828	\$119,969	\$67,788	\$100,000	\$73,987

**City of Deltona
Eastern Water Reclamation Plant
Builders Risk Proposal
Revised 1/15/14**



Michelle Martin
Public Risk Insurance Agency
P O Box 2416
Daytona Beach, FL 32115
Phone: 386-252-6176
Fax: 386-239-4049



CITY OF DELTONA
Eastern Water Reclamation Plant Builders Risk Proposal

**PUBLIC RISK INSURANCE AGENCY
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REVISED 1-15-14**

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THE AGENCY

Risk Management Associates, Inc. dba Public Risk Insurance Agency (PRIA) has established itself as one of the premier insurance services organizations for public entities in the United States. Our in-depth understanding of the unique risk exposures and operating environment of public entities allows us to tailor insurance products and services to effectively meet their needs. As the only independent insurance agency solely dedicated to the public entity market, we are uniquely qualified to meet and exceed the expectations of our clients. Our 20 years of insuring local governments has afforded us significant experience and insight into the unique challenges and constraints that our clients face. PRIA currently represents over 300 public entities in Florida.

PRIA is a wholly owned subsidiary of Brown & Brown, Inc. - the 6th largest independent insurance agency in the United States and 7th largest worldwide as ranked by Business Insurance Magazine. Brown & Brown brings the experience of representing hundreds of public entities nationally in addition to PRIA's focus in Florida.

As a Brown & Brown company, PRIA has access to hundreds of insurance markets nationwide and in the international market. With premium volume exceeding \$2,500,000,000 Brown & Brown's volume results in a superior negotiating position and leverage with state specific, regional, national, and international insurers. The focus and experience of our team in all of these markets produces superior risk transfer options and risk control expertise for your entity.

PRIA develops customized and innovative approaches towards effectively managing your risk. Cost effective insurance products, professional service, and commitment to client's needs are our primary goals. Proof of account satisfaction is reflected by a 97% business retention rate.

AN INTRODUCTION TO YOUR SERVICE TEAM

Alan Florez

Executive Vice President

Paul Dawson, ARM-P

Senior Vice President / Account Executive

Michelle Martin, CIC

Vice President / Account Executive

Brian Cottrell, CIC, CRM

Vice President / Account Executive

Robin Faircloth, CISR

Director of Operations

Amber Tolbert

Marketing Assistant

Brittany O'Brien, CIC, CRM

Account Manager

Melody Blake, ACSR

Account Representative

Linda Burtchett

Account Representative

Kate Gross, ARM-P

Account Representative

Patricia "Trish" Jenkins

Account Representative

Will assist with daily servicing of your account, including endorsements, client services, accounting and quality assurance.

Our Service Team philosophy focuses on accountability at all levels of account management. Our goal is not simply to meet your service needs, but to exceed them. All of the employees at PRIA are dedicated to achieving this goal and distinguishing ourselves from the competition.

CITY OF DELTONA

Eastern Water Reclamation Plant Builders Risk Proposal

**BUILDERS RISK
REVISED 1-15-14**

Term: February 15, 2014 to November 15, 2015

Company: American Zurich Insurance Company
Rated A+ XV by A.M. Best

Location: 301 11th Avenue, Osteen, FL 32764

<u>Primary Builders Risk Coverages</u>	<u>Deductible</u>	<u>Proposed Total Limits</u>
Coverage Limit at the Project Site	\$25,000	\$24,242,000
Property while in Transit	\$25,000	\$500,000
Property at temporary location	\$25,000	\$500,000
For all covered property	\$25,000	\$24,242,000
<u>Coverage Extensions</u>	<u>Deductible</u>	<u>Proposed Total Limits</u>
Soft Costs	21 CDWP*	\$250,000
Business Income & Extra Expense	21 CDWP*	Not Covered
Earth Movement – Zone 4	\$25,000	\$24,242,000 Annual Aggregate
Flood - Zone A	See below	Not Covered
Existing Structure Coverage	N/A	Not Covered
Testing Coverage	\$25,000	\$24,242,000
Extra Expense	Included	\$1,000,000

* Consecutive Day Waiting Period

<u>Special Conditions</u>	<u>Deductible</u>	<u>Proposed Total Limits</u>
Named Storm	1% of values at risk subject to \$25,000 minimum	Included in Project Site Limit

<u>Other Coverages</u>	<u>Limits</u>
Construction Forms and Scaffolding (including the re-assembling and re-erecting)	\$100,000
Valuable Papers and Records – Cost of Research	\$25,000
Outdoor Trees, Shrubs, Plants and Lawns	\$25,000
Debris removal expense up to 50% of the amount paid for direct loss, subject to a maximum	\$1,000,000
Pollutant clean-up and removal of land and water each 12 month period of the policy	\$25,000
Fire Department Service Charge	\$10,000

This proposal is intended to give a brief overview. Higher limits may be available. Please refer to coverage forms for complete details regarding definition of terms, exclusions and limitations.



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CITY OF DELTONA

Eastern Water Reclamation Plant Builders Risk Proposal

BUILDERS RISK
Zurich, Continued
REVISED 1-15-14

<u>Other Coverages</u>	<u>Limits</u>
Cost to Refill Fire Protection Devices up to \$10,000	\$10,000
Rewards	\$5,000
No Coinsurance clause	Included
Foundations, excavations and other underground property	Included
Temporary structures including office trailers, tool trailers and fencing	Included
Coverage for electrical, mechanical, pneumatic or hydrostatic testing, as defined in the form, used in the start-up and testing of building systems	Included
Occupancy coverage	60 Days
Valuation can include profit if included in the Limit of insurance you selected	Included
Collapse Coverage	Included
No glass limitations; no theft restrictions; no mechanical or electrical breakdown exclusions; no back-up sewer or drain exclusion or limitation	Included
Coverage for resulting loss by a Covered Cause of Loss caused by faulty design, faulty workmanship or faulty materials	Included

Notes:

- If the project is not completed with the estimated time of 21 month(s), any extension of coverage will require approval/agreement to extend and re-negotiation of rates, terms and conditions if the extension is approved.
- Policy can be cancelled pro-rata subject to a minimum earned premium of 50%.

This proposal is intended to give a brief overview. Higher limits may be available. Please refer to coverage forms for complete details regarding definition of terms, exclusions and limitations.



CITY OF DELTONA
Eastern Water Reclamation Plant Builders Risk Proposal

**PREMIUM RECAPITULATION
REVISED 1-15-14**

	Annual Premium Cost including Surcharges	<u>Check Option</u>	
		<u>Accepted</u>	<u>Rejected</u>
Zurich			
Builders Risk	\$ 60,862	<input type="checkbox"/>	<input type="checkbox"/>
Extra Expense	\$ 3,069	<input type="checkbox"/>	<input type="checkbox"/>
Earthmovement	\$ 3,027	<input type="checkbox"/>	<input type="checkbox"/>
Testing Coverage	\$ 5,903	<input type="checkbox"/>	<input type="checkbox"/>
Soft Costs	\$ 727	<input type="checkbox"/>	<input type="checkbox"/>
Debris Removal	\$ 241	<input type="checkbox"/>	<input type="checkbox"/>
Houston Casualty	\$115,638	<input type="checkbox"/>	<input type="checkbox"/>
Terrorism	\$ 4,330	<input type="checkbox"/>	<input type="checkbox"/>
Hartford			
Hard Costs	\$ 63,112	<input type="checkbox"/>	<input type="checkbox"/>
Equipment Breakdown	\$ 2,702	<input type="checkbox"/>	<input type="checkbox"/>
Terrorism	\$ 1,974	<input type="checkbox"/>	<input type="checkbox"/>
ACE (not including surcharges)	\$100,000	<input type="checkbox"/>	<input type="checkbox"/>
Preferred (PGIT)	\$ 73,987	<input type="checkbox"/>	<input type="checkbox"/>

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I authorize PRIA to request the underwriters to bind coverage on the items indicated above and acknowledge receipt of the Compensation and Financial Condition Disclosure(s) provided in this proposal.

(Signature)

(Name & Title)

(Date)



CITY OF DELTONA

Eastern Water Reclamation Plant Builders Risk Proposal

Notes of Importance:

1. Quotes provided in the proposal are valid until 02/15/14. After this date terms and conditions are subject to change by the underwriters.
2. *Preferred* is not subject to the Florida Insurance Guaranty Act, in the event it becomes unable to meet its claims payment obligations. However, insured is named on excess of loss policies.
3. Some of the Carriers of the *Preferred* excess of loss policies are issued pursuant to the FL Surplus Lines laws. Entities insured by surplus lines carriers do not have the protection of the FL Insurance Guaranty Act to the extent of any right of recovery for the obligation of an insolvent, unlicensed insurer.
4. Quote is subject to review and acceptance by *Preferred* Board of Trustees.
5. Premiums are subject to change if all lines of coverage quoted are not bound. **Premiums are subject to 50% minimum premiums upon binding.**
6. Not all coverages requested may be provided in this quotation.
7. Flood quotes from NFIP may be available. Please advise your agent if you have property located in zones A or V and would like to have separate NFIP quotes.
8. The Trust requires all Members to maintain valid and current certificates of workers' compensation insurance for all work performed by persons other than its employees.
9. **The total premium is due within 30 days of inception. Premium financing can be arranged if needed.**
10. Quote is not bound until written orders to bind are received from the insured and the Trust/Company subsequently accepts the risk.
11. Should signed application reveal differing details/data than original application received, the entire quote/binder is subject to revision and possible retraction.
12. Higher limits of liability may be available. Please consult with your agent.
13. This proposal is based upon exposures to loss made known to the Public Risk Insurance Agency. Any changes in exposures (i.e. new operations, new acquisitions of property or change in liability exposure) need to be promptly reported to us in order that proper coverage may be put into place.
14. **This proposal is intended to give a brief overview. Please refer to coverage agreements for complete information regarding definition of terms, deductibles, sub-limits, restrictions and exclusions that may apply.**

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CITY OF DELTONA

Eastern Water Reclamation Plant Builders Risk Proposal

Retail Compensation Disclosure

In addition to the commissions or fees received by us for assistance with the placement, servicing, claims handling, or renewal of your insurance coverages, other parties, such as excess and surplus lines brokers, wholesale brokers, reinsurance intermediaries, underwriting managers and similar parties, some of which may be owned in whole or in part by Brown & Brown, Inc., may also receive compensation for their role in providing insurance products or services to you pursuant to their separate contracts with insurance or reinsurance carriers. That compensation is derived from your premium payments. Additionally, it is possible that we, or our corporate parents or affiliates, may receive contingent payments or allowances from insurers based on factors which are not client-specific, such as the performance and/or size of an overall book of business produced with an insurer. We generally do not know if such a contingent payment will be made by a particular insurer, or the amount of any such contingent payments, until the underwriting year is closed. That compensation is partially derived from your premium dollars, after being combined (or “pooled”) with the premium dollars of other insured’s that have purchased similar types of coverage. We may also receive invitations to programs sponsored and paid for by insurance carriers to inform brokers regarding their products and services, including possible participation in company-sponsored events such as trips, seminars, and advisory council meetings, based upon the total volume of business placed with the carrier you select. We may, on occasion, received loans or credit from insurance companies. Additionally, in the ordinary course of our business, we may receive and retain interest on premiums you pay from the date we receive them until the date of premiums are remitted to the insurance company or intermediary. In the event that we assist with placement and other details of arranging for the financing of your insurance premium, we may also receive a fee from the premium finance company.

Questions and Information Requests: Should you have any questions or require additional information, please contact this office at 386-252-6176 or, if you prefer, submit your question or request online at <http://www.bbinsurance.com/customerinquiry.shtml>.

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CITY OF DELTONA

Eastern Water Reclamation Plant Builders Risk Proposal

Guide to Bests Ratings		
Best Category	Rating	Description
Secure	A++	Superior
Secure	A+	Superior
Secure	A	Excellent
Secure	A-	Excellent
Secure	B++	Very Good
Secure	B+	Very Good
Vulnerable	B	Fair
Vulnerable	B-	Fair
Vulnerable	C++	Marginal
Vulnerable	C+	Marginal
Vulnerable	C	Weak
Vulnerable	C-	Weak
Vulnerable	D	Poor
Vulnerable	E	Under Regulatory Supervision
Vulnerable	F	In Liquidation
Vulnerable	S	Rating Suspended
Not Rated	NR-1	Insufficient Data
Not Rated	NR-2	Insufficient Size and/or operating experience
Not Rated	NR-3	Rating Procedure Inapplicable
Not Rated	NR-4	Company Request
Not Rated	NR-5	Not Formally Followed
Rating Modifier	u	Under Review
Rating Modifier	q	Qualified
Affiliation Code	g	Group
Affiliation Code	p	Pooled
Affiliation Code	r	Reinsured

Guide to Best's Financial Size Categories		
Reflects size of	I	Less than \$1,000,000
insurance company	II	\$1,000,000 - \$2,000,000
based on their	III	\$2,000,000 - \$5,000,000
capital, surplus	IV	\$5,000,000 - \$10,000,000
and conditional	V	\$10,000,000 - \$25,000,000
reserve funds in	VI	\$25,000,000 - \$50,000,000
U.S. dollars.	VII	\$50,000,000 - \$100,000,000
	VIII	\$100,000,000 - \$250,000,000
	IX	\$250,000,000 - \$500,000,000
	X	\$500,000,000 - \$750,000,000
	XI	\$750,000,000 - \$1,000,000,000
	XII	\$1,000,000,000 - \$1,250,000,000
	XIII	\$1,250,000,000 - \$1,500,000,000
	XIV	\$1,500,000,000 - \$2,000,000,000
	XV	Greater than \$2,000,000,000

Public Risk Insurance Agency always strives to place your coverage with highly secure insurance companies. We cannot, however, guarantee the financial stability of any carrier.



City of Deltona
 Eastern Water Reclamation Facility Builders Risk QUOTE Comparison
 As of 1/15/14

Terms & Conditions	Zurich	Houston	Hartford	Starr	PGIT
Issuing Company		Houston Casualty	Hartford Fire		
Admitted or Non-Admitted	American Zurich Admitted	Non-Admitted	Admitted	ACE	
Policy Term Quoted	2/15/14-11/15/15	1/15/14-10/1/15	1/8/14-11/8/15	1/15/14-10/1/15	1/3/2014-10/1/2014
	21 Months	20 1/2 Months	22 Months	20 1/2 Months	10 Months
Limits					
Building	\$24,242,000	\$24,242,000	\$24,242,000	\$24,242,000	\$24,242,000
Wind	\$24,242,000	\$24,242,000	\$24,242,000	\$10,000,000	\$24,242,000
Flood	Not Covered	\$24,242,000	Not Available	\$5,000,000	\$1,000,000
Earth Movement/Earthquake	\$24,242,000	\$24,242,000	Not Covered	\$5,000,000	\$5,000,000
Transit	\$500,000	\$500,000	\$100,000	TBD	\$250,000
Temporary Location	\$500,000	\$250,000	\$100,000	TBD	
Testing	\$24,242,000	Included	Included	Included	
Equipment Breakdown	Included in Testing	Including in Testing	\$24,242,000	Included	\$24,242,000
Debris Removal	\$1,000,000	Not Covered	Not Covered	Not Covered	\$750,000
Business Income-Option	\$1,000,000	Not Covered	Not Covered	Not Covered	\$1,000,000
Extra Expense-Option	\$1,000,000	\$100,000	Not Covered	Not Covered	\$1,000,000
Soft Costs-Option	\$250,000	Not Covered	Not Covered	Not Covered	Not Available
Terrorism	Included				
Deductibles					
All Other Perils	\$25,000	\$25,000	\$5,000	\$25,000	\$1,000
Wind/Hail or Named Storm	Named Storm	Named Storm	Wind/Hail	Named Windstorm	Named Windstorm
Deductible at Time of Risk	1%/\$25,000	3%/\$100,000; All Other Windstorm-\$25,000	3%/\$120,000	5%/\$100,000	5%/\$10,000 - Per Structure
Wind % of TIV	\$242,420	\$727,260	\$727,260	\$1,212,100	\$1,212,100
Flood	N/A	5%/\$250,000	N/A	TBD	\$1,000
Earth Movement	\$25,000	\$50,000	N/A	TBD	\$1,000
Testing	\$25,000	\$25,000	N/A	\$25,000	\$1,000 (Equipment Breakdown deductible)
Soft Costs	21 Consecutive Day Waiting Period				Included
Extra Expense	Included				Included
Premium				Indication Only	10 Months Only
Building	\$59,639	\$113,000	\$62,302	\$100,000	\$73,987.00
Flood	Not Covered	Included	Not Available	Included	Included
Earth Movement	\$2,966	Included	N/A	TBD	Included
Equipment Breakdown/Testing	\$5,784	Included	\$2,667	Included	Included
Extra Expense	\$3,007		N/A	TBD	Included
Soft Costs	\$712	Not Covered	N/A	Included	N/A
Debris Removal	\$236		N/A	Included	Included
Terrorism	Included - No charge	\$4,234	\$1,949	TBD	Not Included
Surcharges	\$1,484	\$2,735	\$870	TBD	N/A
Grand Total	\$73,828	\$119,969	\$67,788	\$100,000	\$73,987



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 2/3/2014
FROM: William D, Denny, City Manager **AGENDA ITEM:** 7 - B
SUBJECT: Request for Fee Waiver - Deltona Little League-Annual Opening Day Parade.

LOCATION:	Deltona Middle School, travel down Enterprise Road, turn right at Deltona Blvd., turn right at Whitewood, make a left at Elgrove and into Vann Park
BACKGROUND:	<p>Kim Schneider, Secretary of Deltona Little League, has submitted a special event application for their annual opening day parade scheduled for Saturday, March 8, 2014. Deltona Little League is requesting a waiver of all fees (police, fire, parks, etc.) for this event.</p> <p>The total fees associated with this parade are \$410,00 which include the following:</p> <p>Public Works-0- VCSO \$ 360.00 Fire Dept -0- Parks and Recreation Application Fee \$ 50.00</p>
ORIGINATING DEPARTMENT:	Parks Recreation
SOURCE OF FUNDS:	N/A
COST:	\$410.00
REVIEWED BY:	Parks and Recreation Director, Deputy City Manager, City Attorney
STAFF RECOMMENDATION PRESENTED BY:	Steve Moore, Parks and Recreation Director - To approve the waiver of all fees (police, fire, parks, etc.) associated with the Deltona Little League Opening Day Parade.
POTENTIAL MOTION:	

"I move to authorize staff to waive all fees (police, fire, parks, etc.) associated with the Deltona Little League Opening Day Parade."

**AGENDA ITEM
APPROVED BY:**

William D. Denny, City Manager

ATTACHMENTS:

- Policy CC#99-005
- Special Event app
- transmittal sheet

COMMISSION POLICY/PROCEDURE

EFFECTIVE DATE	POLICY NUMBER	PAGE NUMBER	SUPERSEDES POLICY Dated: 02-07-05
03-07-11	CC99-005	1 of 1	
Subject: In-Kind Donations to Deltona-based not-for-profit entities		Adopted by the Deltona City Commission at the Regular City Commission meeting held on September 8, 1999; revised by the City Commission on July 5, 2000; revised by the City Commission on March 15, 2004; revised by City Commission action on February 7, 2005; revised by City Commission action on March 21, 2011.	
<p>It shall be the policy of the City of Deltona to support Deltona-based not-for-profit entities that sponsor City-wide events for the benefit of all residents. A not-for-profit entity, in accordance with Florida Statutes, §617.01401 (5), shall mean an entity in which no part of the income or profit of which is distributable to its members, directors, or officers.</p> <p>An entity seeking in-kind services shall submit a special event permit application and a letter of request for specified in-kind services to the Parks & Recreation Department specifying the nature and details of the benefits provided to Deltona residents by such community-wide festival or special event. The entity must also provide an expected attendance number for the event, proposed disposition of any funds raised during the proposed events, and follow the established process and meet all requirements outlined within the City's Code of Ordinances, Chapter 10, <i>Amusements, Entertainment and Block Parties</i>, Article III, <i>Events on City-Owned or Controlled Property</i>. Letters of request for in-kind donations must be submitted to the Parks & Recreation Department no later than 90 days prior to the scheduled event.</p> <p>A follow-up report must be submitted to the City Commission within thirty (30) days following the conclusion of the special event. Such report shall contain a narrative of the event, and shall also identify the actual number of attendees, any proceeds from the event and the disposition of such proceeds, including a detailed accounting of same, the benefit realized by the City's partnership with the organization for said special event, any difficulties or problems experienced during the event, and any changes suggested for future events. Failure to submit the follow-up report within the required 30-day timeframe will disqualify the agency for funding in the next budget year.</p> <p>The City Commission, by majority vote, will determine whether or not to provide any or all of the following in-kind services:</p> <ol style="list-style-type: none"> 1. Fees for permits. 2. Use of City equipment, e.g. barricades, traffic cones, generators, light towers, etc. 3. Costs associated with City staff time to support said special event. 4. Fire and first aid protection calculated at the current hourly rate. 5. Police protection calculated at the current hourly rate. 			

CITY OF DELTONA**COMMISSION POLICY/PROCEDURE****POLICY NUMBER: CC99-005****SUBJECT: In-Kind Donations to Deltona-based
not-for-profit entities**

The maximum total in-kind donations allowed will be based on the expected attendance as follows:

<u>Expected Attendance</u>	<u>Maximum Dollar Value of In-Kind Donations</u>
Up to 100	\$250.00
101 - 200	\$500.00
201 - 300	\$750.00
301 - 400	\$1,000.00
401 - 500	\$1,250.00
501 - 600	\$1,500.00
601 - 700	\$1,750.00
701 - 800	\$2,000.00
801 - 900	\$2,250.00
Above 901	\$2,500.00

Special event requests that exceed these amounts must be annual events approved by line item in the City's Parks and Recreation Department budget for the upcoming fiscal year.

New events, not approved by line item in the City's budget, will be considered on a case by case basis.



Parks & Recreation Department
 2345 Providence Boulevard
 Deltona, FL 32725
 (386) 878-8900, Fax (386) 878-8901

PROJECT NO.: SE14-003
 ADDRESS: VANW PARK
 PROJECT NAME: DLL PARADE
 (Do NOT write in this box—for office use only!)

Rec'd 12/15/2013

CITY OF DELTONA
SPECIAL EVENTS
MUSIC/ENTERTAINMENT/FESTIVAL PERMIT APPLICATION
(A 60 day prior notice of event is required)

There is a \$50 fee required with this application which is due when the application is submitted.

Applicant's Name: Deltona Little League Age: _____
 Residence: 675 Elgrove Drive
 City: Deltona State: FL Zip: 32725 Phone: 407-718-4306
 Mailing address: P.O.Box 5233 City: Deltona State: FL
 E-mail Address: dllboard1@yahoo.com (Contact: Kim Schneider, Treasurer, Deltona Little League)

Check if partnership and attach names, ages, phone #'s and Address of all partners.

Check if corporation, name of corporation officer: _____

Title: _____ Mailing Address: _____

Purpose of event: Spring Season Opening Day Parade for Deltona Little League

Security provided by: _____

Will activity be open to the public? Yes No

Will admission be charged? Yes No

Will alcohol be consumed? Yes No

Will alcohol be sold? Yes No

Dates of Event: _____ Event Hours: _____ Set up/Clean up Hours _____ # of people _____

March 8, 2014 Parade Start time 9am. _____

_____ Set up time at Deltona Middle School 8am _____

_____ We will have approximately 400-450 participants _____

Will a sign be displayed on the property? Yes No If yes, applicant will need to secure a temporary sign permit from the Department of Planning & Development.

Applicant must provide statement as to the kind, character or type of music/entertainment event proposed to be conducted, operated, or carried-on: See attached letter

Provide names of all persons who will perform at such event: _____

Address and/or location of the place where outdoor music/entertainment event is proposed to be conducted, operated, or carried on (a site plan MUST be submitted with all applications, SEE BELOW):

SITE PLAN SPECIFICATION:

A site plan, drawn to a scale no less than one inch equals 60 feet, showing the location and layout of all buildings and structures, parking facilities, sanitation facilities, medical facilities, security gates, ingress and egress points, and lighting poles, if applicable

Applicant's Signature
City of Deltona
Parks & Recreation Department

Kim Schneider

Date December 15, 2013



Deltona Little League

Deltona Little League



P.O. BOX 5233 Deltona, FL 32728
386-574-4900

December 15, 2013

To Whom it May Concern,

Deltona Little League would like to submit our Special Event application for our 2014 Spring Season Opening Day Parade taking place on Saturday, March 8, 2014. (See attached form) Our parade starts at Deltona Middle School beginning at 9a.m. and ends at Vann Park Playing Fields, 675 Elgrove Drive via Enterprise Road and Deltona Blvd. Our teams will be arriving at Deltona Middle School to line up at 8a.m.

We would like to request that the City of Deltona provide us with a fire truck and members of the Volusia County Sheriff's Department to lead the parade. Deltona Little League would like to also request that all fees associated with the application for our 2014 Spring Season Opening Day Parade be waived.

Thank you for your consideration and continued support for Deltona Little League. Any further information that you need, please feel free to contact Nick Alexander, President, 407-916-9472 or Kim Schneider, Treasurer, 407-718-4306.

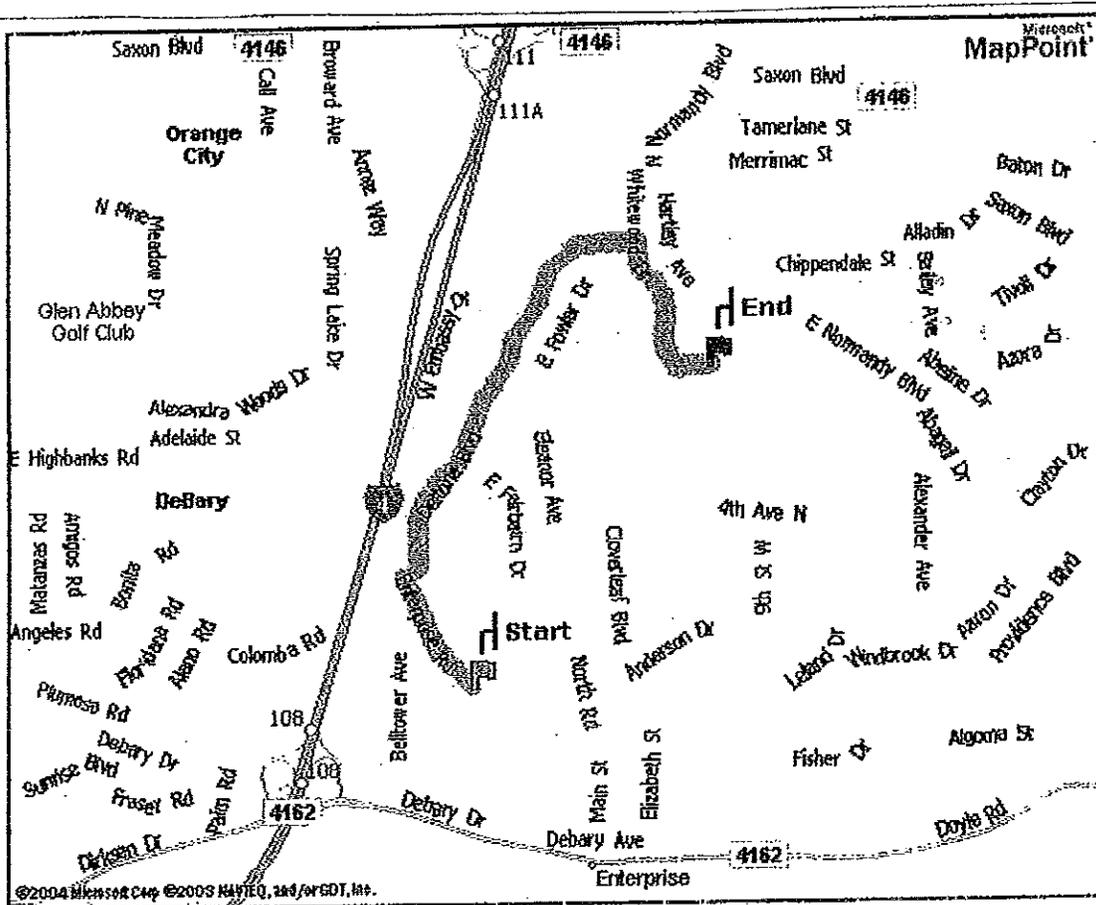
Kim Schneider
Treasurer, Deltona Little League
dllboard1@yahoo.com
407-718-4306



Deltona Little League Parade

Directions

Start: Depart 250 Enterprise Rd	0.5
Turn RIGHT (East) onto Deltona Blvd	1.6
Turn RIGHT (South) onto Whitewood Dr	0.5
Turn LEFT (East) onto Elgrove Dr	0.1
End: Arrive 666 Elgrove Dr	



SPECIAL EVENTS APPLICATION

Applicant: Deltona Little League

Project No. : SE14-003

Date of Event: March 8, 2014

Hours of Event: 8:00 a.m. - 9:00 a.m.

Location: Deltona Middle School to Vann Park

Department	Response Received
Crystal Harris, Public Works	No cost
Sgt. Turney, VCSO	\$360.00 (per Sgt. Turney)
Chief Staples, Fire Department	No cost
Parks & Recreation	\$50.00 (application fee)

YOUR DEPARTMENTS COST ESTIMATE FOR THIS SPECIAL EVENT WILL BE:
(PLEASE BREAK DOWN COST FOR EACH SERVICE)

Volusia County Sheriff's office - \$360.00 to provide 4 deputies for parade.

Parks & Recreation - \$50.00 Application fee

TOTAL \$410.00



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 2/3/2014
FROM: William D. Denny, City Manager **AGENDA ITEM:** 8 - A
SUBJECT: Public Hearing - Ordinance No. 17-2013, an amendment to the Capital Improvements Element of the City's Comprehensive Plan.

LOCATION:

City-wide

BACKGROUND:

Pursuant to 163.3177(3)(b) F.S., the Capital Improvements Element (CIE) of the Comprehensive Plan must be reviewed and updated on an annual basis. It is recommended to send the CIE Report to the Department of Economic Opportunity (DEO) when it is adopted each year by the City Commission.

Staff has reviewed the current Class "A" capital improvements and summarized the expenditures and funds carried forward for the next five years. The City's CIE has also been reviewed to ensure compliance with the City's adopted level of service (LOS) standards. In collaboration with the City's Finance Department and other departments, adjustments have been made to update the CIE.

The City Commission reviewed Ordinance No. 17-2013, at first reading, on January 6, 2014. Finally, a typographical error on Page 22 of the document has been corrected and Exhibit A, reflects the revised CIE document.

ORIGINATING DEPARTMENT:

Planning and Development Services

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

Planning Director, Finance Director, City Attorney

STAFF RECOMMENDATION PRESENTED BY:

Chris Bowley, AICP, Director, Planning and Development Services - Staff recommends that the City

Commission adopt Ordinance No. 17-2013, at second and final reading, to amend and update the City of Deltona's Comprehensive Plan Capital Improvements Element and the Five-Year Schedule of Capital Improvements.

**POTENTIAL
MOTION:**

"I move to adopt Ordinance No. 17-2013, at second and final reading, that amends and updates the City of Deltona's Comprehensive Plan Capital Improvements Element and the Five-Year Schedule of Capital Improvements."

**AGENDA ITEM
APPROVED BY:**

William D. Denny, City Manager

ATTACHMENTS:

- Ordinance No. 17-2013
- Exhibit A: Capital Improvements Element Report FY 2013/14

ORDINANCE NO. 17-2013

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF DELTONA, BY AMENDING THE CAPITAL IMPROVEMENTS ELEMENT PROVIDING FOR THE REPLACEMENT OF THE CAPITAL IMPROVEMENT PROJECT SHEETS; FINDING CONFORMITY WITH STATE STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Deltona is required to annually review and modify, as necessary, its capital improvements element; and

WHEREAS, the City of Deltona has reviewed its capital improvements element and determined it is necessary to update the Five Year Schedule of Capital Improvements contained therein.

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

SECTION ONE: Comprehensive Plan Amendments. The Five Year Schedule of Capital Improvements section of the capital improvement element is hereby amended, as set forth in attachment "A" hereto.

SECTION TWO: SEVERABILITY. Upon a determination by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

Ordinance No. 17-2013
Page 2 of 2

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

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 of the City of Deltona,
Florida:

GRETCHEN R.H. VOSE, City Attorney



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 2/3/2014
FROM: William D. Denny, City Manager **AGENDA ITEM:** 8 - B
SUBJECT: Public Hearing - Ordinance No. 18-2013, Phase II-B Amendments to the Land Development Code, at second and final reading.

LOCATION:

City-wide

BACKGROUND:

Since 2011, the City Commission has adopted a series of amendments to the Land Development Code (LDC) designed to achieve a variety of important goals Phase I was for organizational improvements and Phase II-A was for substantive changes for the highest priority of amendments to the LDC.

Phase II-B is the second cycle of amendments to the LDC that affects four (4) chapters of the LDC(Chapters 70, 74, 106, and 110) and enacts a new Chapter 75 (Site Plan). The proposed amendments advance the goal of further improving the effectiveness and efficiency of our Code. The goals are accomplished by adjusting or removing certain provisions or steps in the development review process that, in our view, are unnecessary, burdensome, costly, or inefficient.

Implementation of the proposed amendments will significantly increase Deltona's competitive edge by further streamlining the development review process, reclassifying certain types of development applications, and clarifying a number of related Code provisions. Certain zoning revisions relating to fences, accessory uses, and refinements to other provisions are also recommended as part of this initiative.

A City Commission Workshop was held on October 28, 2013, and the Commission reviewed and gave staff direction to proceed with the Phase II-B Amendment cycle that includes additions, deletions, and revisions to certain provisions of Chapter 70, Section 30, "Definitions"; Chapter 74, "Administration"; Chapter 106, "Subdivisions"; Chapter 110, "Zoning"; and add new Chapter 75, "Site Plan". The Planning and Zoning Board reviewed Phase II-B on December 18, 2013, and recommended that the City

Commission approve Ordinance No. 18-2013. Finally, the City Commission voted unanimously to approve the ordinance at the January 21, 2014, public hearing.

ORIGINATING DEPARTMENT:

Planning and Development Services

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

Planning Director and City Attorney

STAFF RECOMMENDATION PRESENTED BY:

Tom Pauls, AICP, Planning Manager - Staff recommends that the City Commission adopt Ordinance No. 18-2013, that amends the Code of Ordinances Subpart B, Land Development Code, by adding, revising, and deleting certain provisions of Chapter 70, Section 30, "Definitions"; Chapter 74, "Administration"; Chapter 75, "Site Plan"; Chapter 106, "Subdivision"; and Chapter 110, "Zoning", at second and final reading.

POTENTIAL MOTION:

"I move to adopt Ordinance No. 18-2013, that amends the Code of Ordinances Subpart B, Land Development Code, by adding, revising, and deleting certain provisions of Chapter 70, Section 30, "Definitions"; Chapter 74, "Administration"; Chapter 75, "Site Plan"; Chapter 106, "Subdivisions"; and Chapter 110, "Zoning", at second and final reading."

AGENDA ITEM APPROVED BY:

William D. Denny, City Manager

ATTACHMENTS:

- Ordinance No. 18-2013
- Exhibit A
- Summary of Proposed Amendments

ORDINANCE NO. 18-2013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, AMENDING CODE OF ORDINANCES SUBPART B, LAND DEVELOPMENT CODE, BY ADDING, REVISING, AND DELETING CERTAIN PROVISIONS OF CHAPTER 70, SECTION 30 “DEFINITIONS”; CHAPTER 74, “ADMINISTRATION”; CHAPTER 75, “SITE PLAN”; CHAPTER 106, “SUBDIVISIONS”; AND CHAPTER 110, “ZONING”; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Deltona amended Code of Ordinance Subpart B, Land Development Code, by revising and organizing Chapters 70 through 110, via Ordinance No. 19-2011, adopted on November 7, 2011; and

WHEREAS, such amendments have established a foundation to enable the City to introduce more substantive and community-based changes; and

WHEREAS, on June 17, 2013, Phase II-A of the Land Development Code amendments was adopted by the City Commission via Ordinance No. 06-2013; and

WHEREAS, these Phase II-B amendments include more substantive changes to the Land Development Code, Chapter 70 Section 30, Chapter 74, (new) Chapter 75, Chapter 106, and Chapter 110, by adding, deleting, and revising certain sections; and

WHEREAS, the Planning and Zoning Board held a public hearing on December 18, 2013, and forwarded its recommendations to the City Commission.

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

Section 1. Code of Ordinances Subpart B, Land Development Code, Chapter 70, Section 70-30 “Definitions”; Chapter 74, Article I Section 74-1 through Section 74-7, Article II Section

City of Deltona, Florida
Ordinance No. 18-2013
Page 2 of 3

74-26 through Section 74-28; (new) Chapter 75 “Site Plan”; Chapter 106 Article II Section 106-26 through Section 106-32; Chapter 110 Section 110-307 “R1-AAA, AA, A, and R1 Single-family classification”, Section 110-312 “MH, Mobile Home Park classification”, Section 110-314 through Section 110-319, Section 110-806 “Fences, walls and hedges”, Section 110-809 “Mobile Home”, Section 110-813 “Planned Unit Development regulations”, Section 110-815 “Final Site Plan”, Section 110-817 “Conditional Uses”, Section 110-827 “Accessory Uses and Structures”, and Section 110-1202 “Powers and Duties”, are hereby amended as follows:

See Exhibit A, Land Development Code Amendments, attached hereto

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 _____, 2014.

First Reading: _____

Advertised: _____

Second Reading: _____

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

City of Deltona, Florida
Ordinance No. 18-2013
Page 3 of 3

ATTEST:

JOYCE RAFTERY, City Clerk

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

GRETCHEN R. H. VOSE, City Attorney



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 2/3/2014
FROM: William D. Denny, City Manager **AGENDA ITEM:** 8 - C
SUBJECT: Public Hearing - Ordinance No. 01-2014, Tractor Supply Company Amendment to the Official Zoning Map (RZ13-007), at second and final reading.

LOCATION:

Located at 890 SR 415; northeast of the intersection of SR 415 and Howland Boulevard, along the west side of SR 415.

BACKGROUND:

The City of Deltona received an application to amend the Official Zoning Map from the Volusia County classification of Rural Residential (RR-C) to the City's C-1 Retail Commercial zoning designation. The proposed area to be rezoned is approximately five (5) acres that are currently vacant and wooded. There are plans for a Tractor Supply Company retail store to be located at this location that follows the prototype of the store constructed in Mims, Florida.

The subject property was annexed into the City in 2004. In 2006, a County future land use designation of Urban Low Intensity was changed to a City designation of Commercial. As part of the Future Land Use Map Amendment process, the Volusia Growth Management Commission (VGMC) conditionally approved the change to City Commercial designation to include a limitation on intensity with a 0.22 floor area ratio (FAR) and a limitation on the number of curb cuts along SR 415. The proposed conditions will be adhered to by the applicant with this development.

The subject property was dependent upon the vacation of the 2nd Addition to the Carnell Plat, which occurred on December 16, 2013. The applicant is working with the City and the underlying property owner (Pell) to create a 50-ft. wide cross-access easement along the Tractor Supply Company site's southern boundary. The ordinance and application was reviewed by the City's Planning and Zoning Board at the December 18, 2013, meeting and the Board recommended that the City Commission approve Ordinance No. 01-2014 with the conditions that there be no access to Sandlor Drive to the north, there be screening and buffering

along the north side of the Tractor Supply Company site, there be directional lighting away from the residences along Sandlor Drive, and there is a fence installed along the north side of the Tractor Supply Company site. Finally, the applicant has agreed to accommodate those conditions and will also provide additional landscape buffer width that exceeds the minimum Code requirements.

**ORIGINATING
DEPARTMENT:**

Planning and Development Services

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

City Attorney, Planning Director

**STAFF
RECOMMENDATION
PRESENTED BY:**

Chris Bowley, AICP, Director of Planning and Development Services - Staff recommends that the City Commission adopt Ordinance No. 01-2014, for the rezoning of approximately five (5) acres from Rural Residential (RR-C) to the City's C-1 Retail Commercial (Project RZ13-007), at second and final reading.

**POTENTIAL
MOTION:**

"I move to adopt Ordinance No. 01-2014, for the rezoning of approximately five (5) acres for Rural Residential (RR-C) to the City's C-1 Retail Commercial (Project RZ13-007), at second and final reading."

**AGENDA ITEM
APPROVED BY:**

William D. Denny, City Manager

ATTACHMENTS:

- Ordinance No. 01-2014
- Staff Report 110113

ORDINANCE NO. 01-2014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, BY AMENDING THE OFFICAL ZONING MAP FOR THE FOLLOWING PROPERTY: A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 19 SOUTH, RANGE 32 EAST AND BEING (A PART OF LOTS 14 THROUGH 25, BLOCK 203), (LOTS 1 THROUGH 8, AND PART OF LOTS 9 THROUGH 16, BLOCK 403), AND (LOT 1, AND PART OF LOTS 2, 3, 5 AND UN-NUMBERED LOT IN BLOCK 601), TOGETHER WITH PORTIONS OF VACATED 1ST STREET EAST, 2ND STREET EAST AND PORTIONS OF VACATED ALLEYS ALL AS SHOWN ON THE PLAT OF 2ND ADDITION TO CARNELL AS RECORDED IN PLAT BOOK 10, PAGE 128 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 995.4 FEET OF SAID SECTION 6 WITH THE SOUTH RIGHT OF WAY LINE OF SANDLOR DRIVE AS SHOWN ON THE PLAT OF DELTONA LAKES AS RECORDED IN PLAT BOOK 28, PAGE 95 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N.89°53'05"E., ALONG SAID RIGHT OF WAY LINE, 401.12 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.89°53'05"E., ALONG SAID RIGHT OF WAY LINE AND THE EASTERLY PROLONGATION THEREOF, 854.00 FEET TO A POINT LYING ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO.415 AS SHOWN ON STATE ROAD RIGHT OF WAY MAP FOR STATE ROAD NO. 415, SECTION 79120, F.P. NO.407355 4 AND THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 3355.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.45°57'40"W.; THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'37", 406.58 FEET; THENCE N.89°53'05"W., 589.13 FEET; THENCE N.00°06'55"W., 308.14 FEET TO THE POINT OF BEGINNING. CONTAINING 5.07 ACRES MORE OR LESS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City has received an application to amend the Official Zoning Map from Rural Residential (Volusia County) to the Retail Commercial District (C-1) for the subject property to be rezoned; and

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

WHEREAS, after said public hearing, the City Commission of the City of Deltona, Florida, has determined that the zoning on the subject property will be amended to the Retail Commercial District (C-1) and has further determined that said zoning action is consistent with the Comprehensive Plan of the City of Deltona, Florida.

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

Section 1. The zoning on the following property will be amended from Volusia County Rural Residential to City of Deltona Retail Commercial District (C-1):

A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 19 SOUTH, RANGE 32 EAST AND BEING (A PART OF LOTS 14 THROUGH 25, BLOCK 203), (LOTS 1 THROUGH 8, AND PART OF LOTS 9 THROUGH 16, BLOCK 403), AND (LOT 1, AND PART OF LOTS 2, 3, 5 AND UN-NUMBERED LOT IN BLOCK 601), TOGETHER WITH PORTIONS OF VACATED 1ST STREET EAST, 2ND STREET EAST AND PORTIONS OF VACATED ALLEYS ALL AS SHOWN ON THE PLAT OF 2ND ADDITION TO CARNELL AS RECORDED IN PLAT BOOK 10, PAGE 128 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 995.4 FEET OF SAID SECTION 6 WITH THE SOUTH RIGHT OF WAY LINE OF SANDLOR DRIVE AS SHOWN ON THE PLAT OF DELTONA LAKES AS RECORDED IN PLAT BOOK 28, PAGE 95 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N.89°53'05"E., ALONG SAID RIGHT OF WAY LINE, 401.12 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.89°53'05"E., ALONG SAID RIGHT OF WAY LINE AND THE EASTERLY PROLONGATION THEREOF, 854.00 FEET TO A POINT LYING ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO.415 AS SHOWN ON STATE ROAD RIGHT OF WAY MAP FOR STATE ROAD NO. 415, SECTION 79120, F.P. NO.407355 4 AND THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 3355.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.45°57'40"W.; THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'37", 406.58 FEET; THENCE N.89°53'05"W., 589.13 FEET; THENCE N.00°06'55"W., 308.14 FEET TO THE POINT OF BEGINNING.

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

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

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

Section 5. Effective Date. This 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 _____, 2014.

First Reading: _____

Advertised: _____

Second Reading: _____

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

City of Deltona, Florida
Ordinance No. 01-2014
Page 4 of 4

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

Memorandum

To: Planning and Zoning Board

From: Chris Bowley, AICP

Date: November 1, 2013

Re: Project No. RZ13-007, Amendment to the Official Zoning Map

I. SUMMARY OF APPLICATION:

APPLICANT: Rodney M. Honeycutt, P.E.
Honeycutt & Associates, Inc.
5195 S. Washington Avenue
Titusville, FL 32780

Request: The City of Deltona Planning and Development Services Department has received an application to amend the Official Zoning Map from the Volusia County classification of Rural Residential (RR-C) to C-1 Retail Commercial for a portion of parcels 9206-01-03-0010 and 9206-01-03-0011.

A. SITE INFORMATION:

1. **Tax Parcel No.:** 9206-01-03-0010, 9206-01-03-0011
2. **Property Addresses:** 890 N. SR 415
3. **Property Acreage:** ±5 Acres
4. **Property Location:** South of the intersection of SR 415 and Ft. Smith Blvd. in Deltona.

5. **Property Legal Description:** A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 19 SOUTH, RANGE 32 EAST AND BEING (A PART OF LOTS 14 THROUGH 25, BLOCK 203), (LOTS 1 THROUGH 8, AND PART OF LOTS 9 THROUGH 16, BLOCK 403), AND (LOT 1, AND PART OF LOTS 2, 3, 5 AND UN-NUMBERED LOT IN BLOCK 601), TOGETHER WITH PORTIONS OF VACATED 1ST STREET EAST, 2ND STREET EAST AND PORTIONS OF VACATED ALLEYS ALL AS SHOWN ON THE PLAT OF 2ND ADDITION TO CARNELL AS RECORDED IN PLAT BOOK 10, PAGE 128 OF THE PUBLIC RECORDS OF

VOLUSIA COUNTY, FLORIDA. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 995.4 FEET OF SAID SECTION 6 WITH THE SOUTH RIGHT OF WAY LINE OF SANDLOR DRIVE AS SHOWN ON THE PLAT OF DELTONA LAKES AS RECORDED IN PLAT BOOK 28, PAGE 95 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE N.89°53'05"E., ALONG SAID RIGHT OF WAY LINE, 401.12 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.89°53'05"E., ALONG SAID RIGHT OF WAY LINE AND THE EASTERLY PROLONGATION THEREOF, 854.00 FEET TO A POINT LYING ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 415 AS SHOWN ON STATE ROAD RIGHT OF WAY MAP FOR STATE ROAD NO. 415, SECTION 79120, F.P. NO.407355 4 AND THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 3355.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.45°57'40"W.; THENCE SOUTHWESTERLY, ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'37", 406.58 FEET; THENCE N.89°53'05"W., 589.13 FEET; THENCE N.00°06'55"W., 308.14 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.07 ACRES MORE OR LESS.

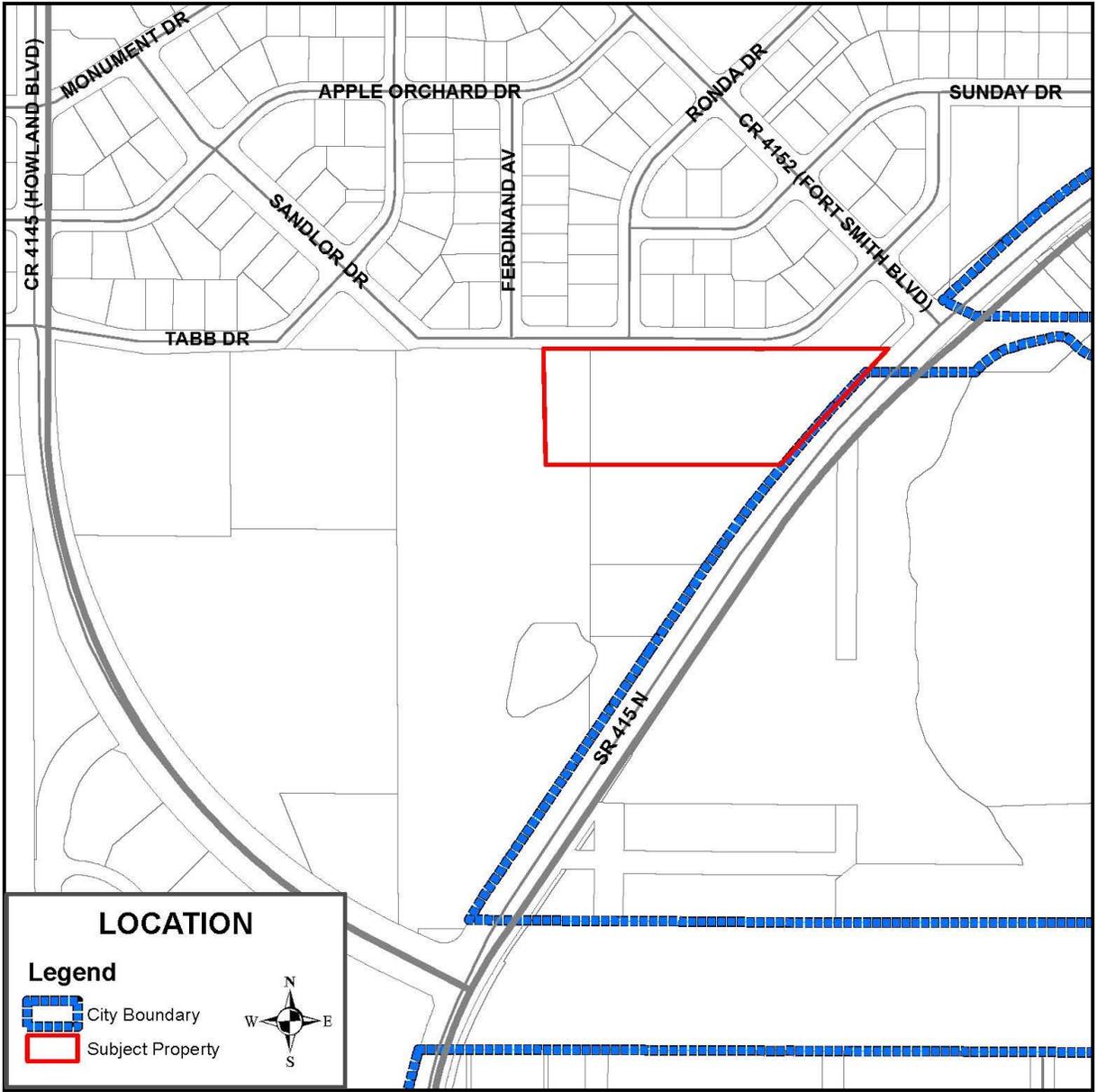


Figure 1: Location Map

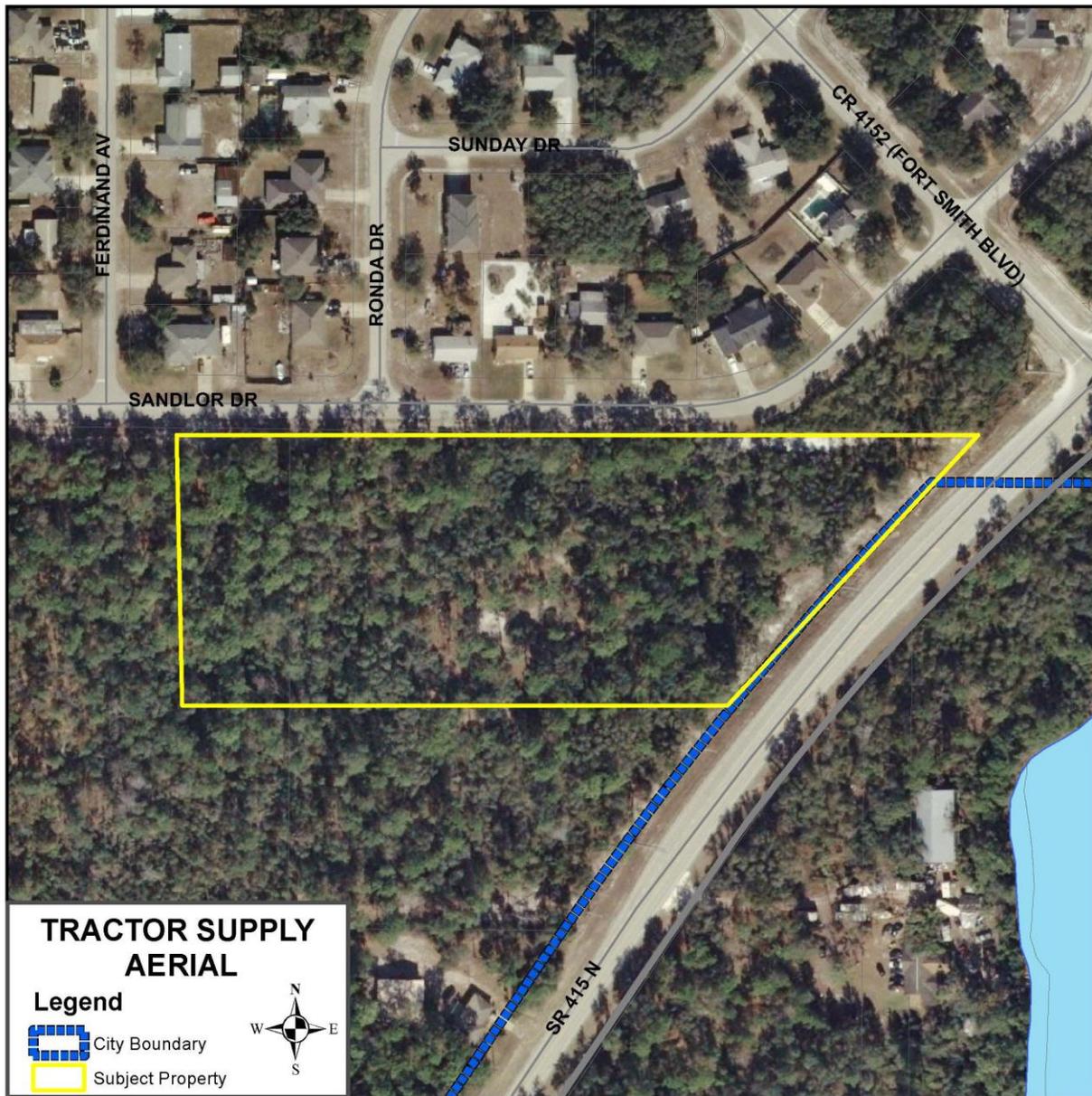


Figure 2: Aerial Photo

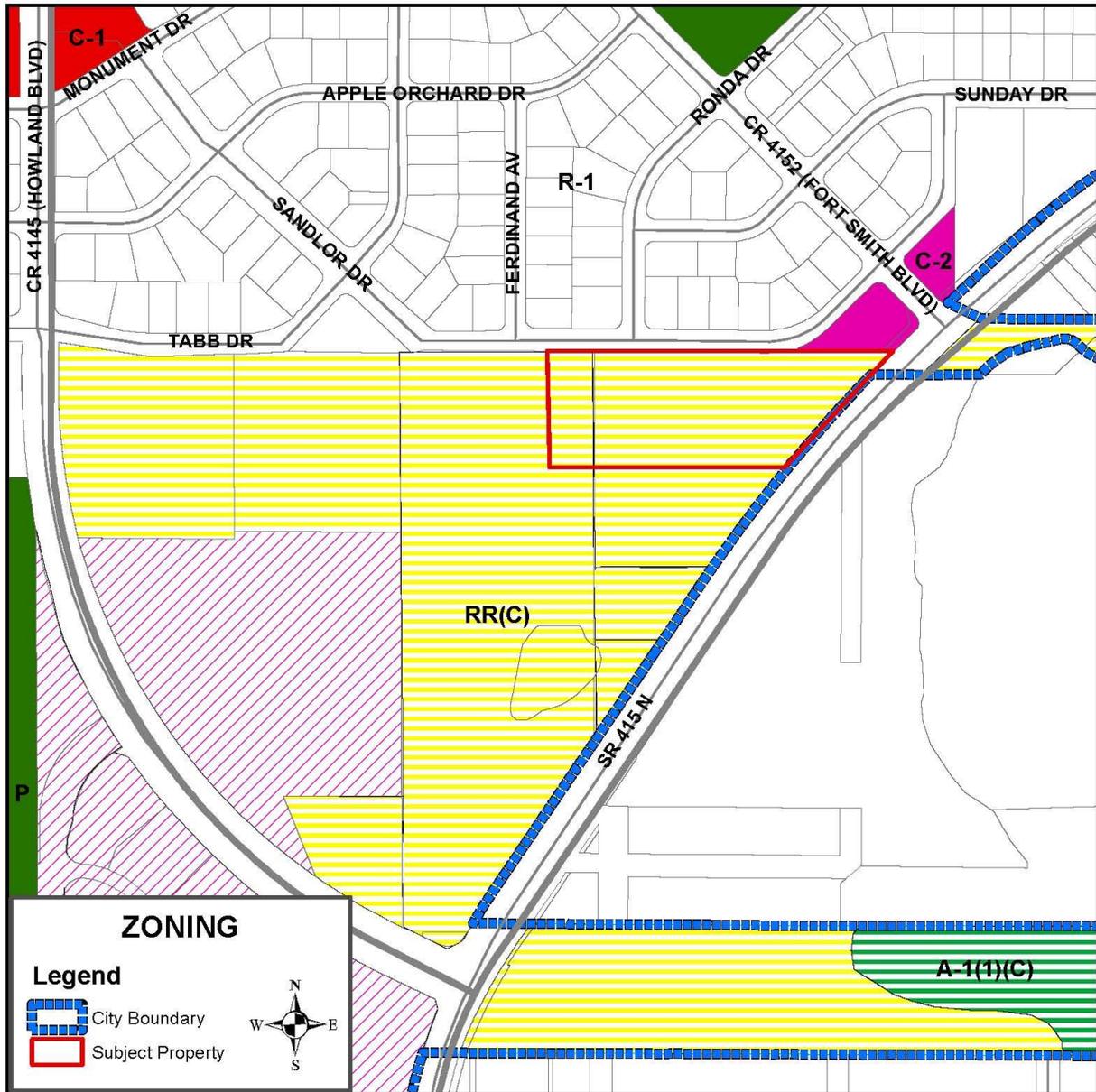


Figure 3: Existing Zoning

B. Existing Zoning:

1. Subject Property:

Existing: Volusia County Rural Residential, RR(C)

Requested: Retail Commercial, C-1

2. Adjacent Properties:

North: R-1, Single Family Residential and C-2, General Commercial

South: Volusia County Rural Residential, RR(C)

East: Volusia County Osteen Mixed Use Village (OMV)

West: Volusia County Rural Residential, RR(C)

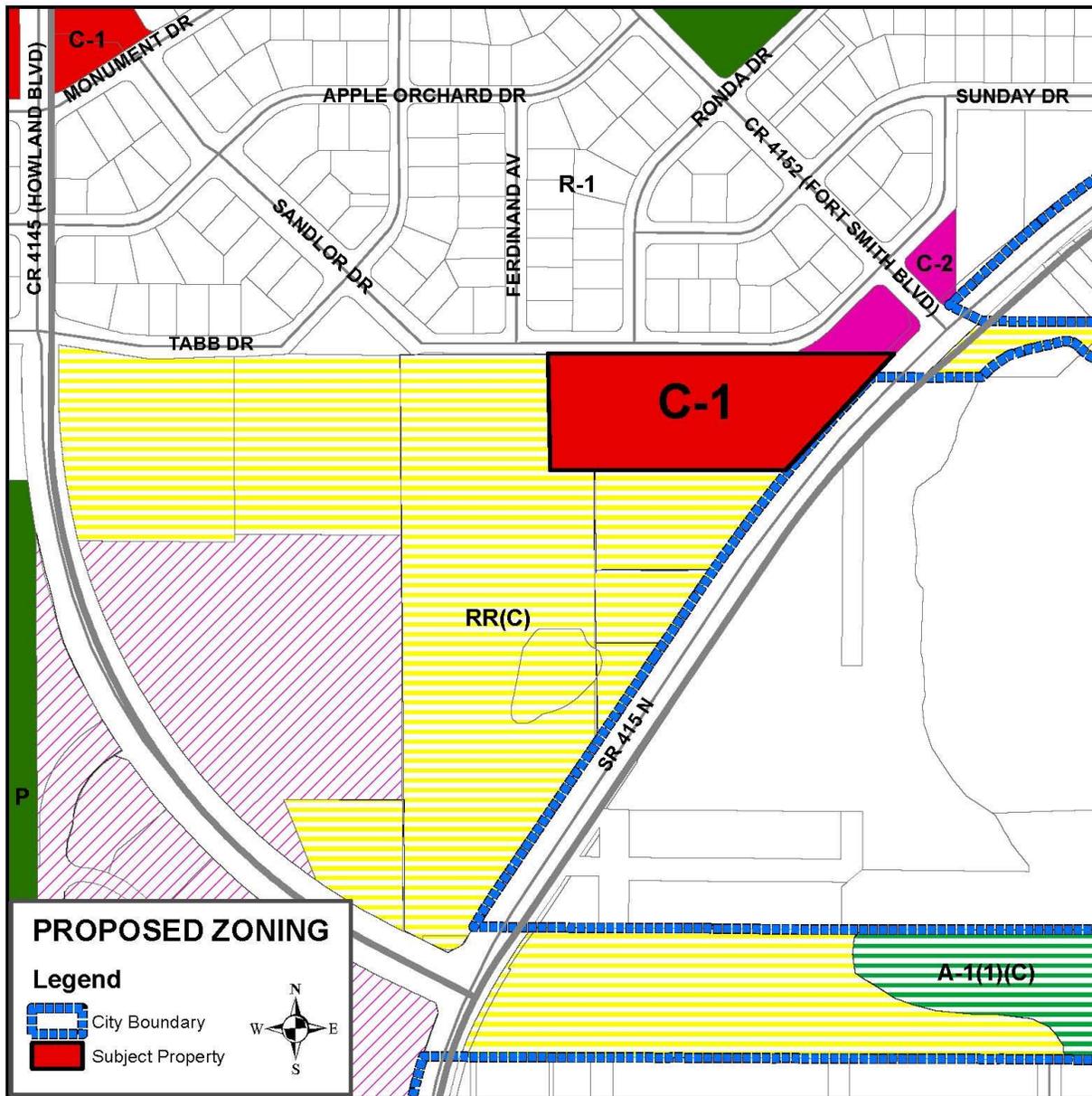


Figure 4: Proposed Zoning

C. Proposed Zoning:

Retail Commercial District (C-1) (Section 110-315 Purpose and Intent.) The purpose of the C-1-Retail Commercial Zoning District is to establish neighborhood commercial development along high-volume roads that are compatible with nearby single-family residential areas. The C-1-Retail Commercial Zoning District is not suitable for transitional areas. Therefore, low intensity commercial development with no residential mix is permitted. The C-1-Retail Commercial Zoning District was first established in the original Deltona Lakes Community Development Plan to serve this purpose in the planned development. It may be applied to achieve a commercial development that is suitable for serving surrounding single-family residential development in all other appropriate areas of the City of Deltona, including those areas that were not included in the original Deltona Lakes Community Development Plan. The C-1-Retail Commercial Zoning district shall only be applied to areas that are designated in the Commercial Future Land Use category on the adopted Future Land Use Map in the Deltona Comprehensive Plan, as it may be amended from time to time.

D. Back Ground:

The subject property was annexed into the City in 2004. In 2006, the County Future Land Use designation of Urban Low Intensity was changed to City Commercial (C). As part of the Future Land Use Map amendment process, the Volusia Growth Management Commission (VGMC) conditionally approved the change to City Commercial. Conditions included a limitation on intensity which resulted in a Floor Area Ratio (FAR) cap of 0.22, as well as a limitation to the amount of curb cuts onto SR 415. These conditions will be adhered to throughout the development process and is supported by the FDOT design the of improved SR 415. The property was also associated with an antiquated, 1920's vintage plat, known as the 2nd Addition to Carnell. To date, the applicable 2nd Addition to Carnell roads, alleys and lots have been vacated through two (2) separate actions of the City Commission. The applicant is working with the retailer Tractor Supply Company (TSC), which is interested in the site to establish a store. The TSC facility would feature a standalone store with an outdoor display area. This design mirrors the newest TSC prototype constructed in Mims, Florida.

E. Support Information

Public Facilities:

- a. Potable Water: to be supplied by Deltona Water
- b. Sanitary Sewer: to be supplied by Deltona Water (once available)
- c. Fire Protection: City Fire Station 64
- d. Law Enforcement: Volusia County Sheriff's Office (VCSO)
- e. Electricity: Florida Power and Light (FP&L)

F. Matters for Consideration:

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

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

The amendment to the Official Zoning Map will not diminish the vision of the goals or the policies of the Comprehensive Plan. The current Future Land Use for the site is Commercial, as adopted by Ordinance No. 10-2005 and VGMC Resolution No. 2006-02, and the C-1 zoning is consistent with the Commercial Future Land Use designation.

2. Its impact upon the environment or natural resources.

The property is currently undeveloped and forested with a mixture of pines and scrub oak. The property is located on the eastern escarpment of a physiographic area of the County known as the DeLand Ridge. The soil is predominately well drained Astatula and Cassia Fine Sand series soil. According to the September 2011 FEMA flood zone maps, the subject property is not located within the 100 year floodplain.

Gopher tortoise burrows have been observed on the property. However, before property development, the applicant will need to permit the relocation of the tortoises to a suitable mitigation bank site. There are no other known listed species that utilize the property.

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

The proposed impact upon the local economy would be the creation of service-oriented jobs. The proposed rezoning would facilitate the commercial development of the property. Therefore, the rezoning would result in a property taxed at a commercial use rate, which would be much more than the current vacant land assessment. The commercial development of the property would represent a diversification of the City tax base to become less reliant on residential uses.

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

- a. **Schools:** The Volusia County School Board staff has indicated that this rezoning will not affect local schools.
- b. **Sewage Disposal:** The site will be served by City sewer and capacity is available. However, the new lines on SR 415 near the property are currently inactive and will remain inactive until the completion of the Eastern Waste Water Treatment Plant. In the interim, the project will be served by a septic tank and the City will require that the waste water system on the property be designed to allow for quick and convenient connection to City sewer as soon as the lines are activated.
- c. **Potable Water:** Deltona Water will serve the site and sufficient potable water capacity is available.

- d. **Drainage:** All site related stormwater runoff will be managed on-site and will be constructed in accordance with the necessary requirements of the City's Land Development Code and other permitting agencies.
- e. **Transportation Systems:** The subject property is located near the intersection of SR 415 and Howland Blvd. and there is capacity on both roads to support the C-1 rezoning. Both of these roads are either in the planning phase or the construction phase of widening. The 9th Addition of the ITE Trip Generation Manual lists peak hour traffic generation rates for a Tractor Supply Store. The weekday peak is 1.4 trips per 1,000 square feet of floor space resulting in 26.32 peak hour trips (a Tractor Supply Store generates more traffic on a Saturday than on a weekday). The 26.32 trips will not adversely affect the current levels of service on adjacent roads. The subject property will also eventually be served by a cross access network that will link other developments planned in the area. The cross access network will connect SR 415 to the signalized intersection of the Wal-Mart Super Center driveway and Howland Blvd. The subject cross access network will help keep traffic off of thoroughfare streets and provide more route options for motorists. The subject network of cross access ways has been conceptually planned and will be implemented incrementally as more land in the area is developed.

Votran transit transportation is available at the Wal-Mart Super Center via bus routes 21 and 22. However, this site is slightly more than the normal quarter-mile walk radius used for mass transit planning.

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

The subject property, along with other land in the area has been contemplated for commercial development for some time. The Wal-Mart Super Center complex near the property to be rezoned has been almost fully developed with outparcel uses. It is logical to expect that there would be demand for more commercial development in the vicinity of the Wal-Mart. In addition, there are significant infrastructure investments occurring in the area. Investments include the SR 415 widening, the development of the City Eastern Wastewater Treatment plant and the extension of urban utilities (water and sewer).

6. Any mistakes in the original classification.

No known mistakes.

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

The property is located off of SR 415, but is located just south of an established neighborhood that is accessed generally by Sandlor Dr. The property is separated from a tier of homes located on the north side of Sandlor Dr. by the 60' wide Sandlor right-of-way. Also, the homes along the Sandlor corridor will be afforded a landscaped buffer yard, as per Section 110-808 of the City Land Development Code. City staff has been informed by the applicant that the buffer yard along Sandlor Dr. will be much larger than the minimum width required by City code. Primary access to the property to be rezoned will be from SR 415 via a planned internal cross access network. There will be no

connection to Sandlor Dr., which will minimize traffic impacts in the adjacent neighborhood. Therefore, the proposed rezoning will be compatible with the adjacent neighborhood and will have no adverse impacts on the health, welfare, safety or morals of the City.

CONCLUSION/STAFF RECOMMENDATION:

The proposed rezoning is to support a commercial development – Tractor Supply Store. The rezoning represents an incremental improvement of the City tax base, which is overly reliant on residential uses. In addition, the commercial development will facilitate more commercial options for residents in a City that is underserved by commercial uses. The proposed use on the property to be rezoned is retail and the job base will be service oriented. The rezoning will be compatible with the adjacent neighborhood and the rezoning is consistent with the Comprehensive Plan. Therefore, staff recommends approval of the rezoning from Volusia County Rural Residential to C-1 (Retail Commercial).



AGENDA MEMO

TO: Mayor & City Commission **AGENDA DATE:** 2/3/2014

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

SUBJECT: Public Hearing - Ordinance No. 03-2014, Amending and updating the City's Floodplain Management Regulations as listed in Chapters 70, Section 30, Definitions, and Chapter 90, Flood Hazard Management, of the City's Code of Ordinances, as well as adopting new FEMA Flood Insurance Rate Maps, dated February 19, 2014.

LOCATION:

City-wide.

BACKGROUND:

On September 19, 2011, the City adopted new floodplain regulations under Chapter 90 of the Code of Ordinances and new Flood Insurance Rate Map (FIRM) panels were approved as required by the Federal Emergency Management Agency (FEMA) for the City to remain within the National Flood Insurance Program (NFIP). If the City did not adopt the maps and regulations by September 29, 2011, the City would have been sanctioned by FEMA by being suspended from the issuance of NFIP-backed Preferred Risk Policy (reduced) insurance premiums for City residents.

Following the 2011 adoption of the new maps and regulations, City staff initiated application for the FEMA Community Rating System (CRS) program. Obtaining a CRS rating for the City can result in lower flood insurance premiums (i.e. from 10-45%) for NFIP-insured residents. The first step has been to participate in a community assistance visit (CAV), which the City was approved in October of 2013, with a recommendation that the City proceed to the CRS stage.

As part of the 2010 revisions to the Florida Building Code (FBC), floodplain management provisions that involve construction techniques within flood hazard areas were revised in the new FBC. The Florida Division of Emergency Management (DEM) and FEMA asserted that many local government floodplain management regulations, including the City's, were now inconsistent with the new FBC. The State then mandated that all local government floodplain

management ordinances be standardized to their new model floodplain ordinance and failure to adopt a new ordinance and FIRM panels by February 19, 2014, will lead to suspension from the NFIP. This could lead to a myriad of issues for homeowners.

As examples, comparing and contrasting existing Chapter 90 to the newly proposed floodplain management ordinance reveals that requirements for construction techniques, such as foundation anchoring, vent walls, etc. are not part of the new floodplain management ordinance. However, the requirement for a finish floor elevation of one (1) foot above the base flood elevation (BFE) for structures within the floodplain remains.

As with the 2011 FIRM panels, the February 19, 2014, panels are similar to and based on one-foot contour intervals, for greater accuracy than pre-2011 maps. However, FEMA and their consultants revisited the City's 100-year floodplain polygons and made revisions to reduce many of the polygon areas, several of which are a benefit to homesteads. While more work is needed to establish BFEs for some basins, the new map lines are based on greater science and will remain intact for the foreseeable future, with minor adjustments allowed. Adoption of the new regulations and maps is also required for application into the CRS program.

Finally, the Planning and Zoning Board heard Ordinance No. 03-2014 on January 15, 2014, and unanimously recommended that the City Commission adopt the updated regulations and new FEMA floodplain maps.

ORIGINATING DEPARTMENT:

Planning and Development Services

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

City Attorney, Planning Director

STAFF RECOMMENDATION PRESENTED BY:

Chris Bowley, AICP, Director, Planning and Development Services - Staff recommends that the City Commission approve Ordinance No. 03-2014 for the City's Code of Ordinances, repealing and replacing the existing Chapter 90, as well as, amending Chapter 70, Section 30, and adopting new FEMA Flood Insurance Rate Maps, as mandated by FEMA, at first reading.

POTENTIAL MOTION:

"I move to approve Ordinance No. 03-2014 for the City's Code of Ordinances, repealing and replacing the existing Chapter 90, as well as, amending Chapter 70, Section 30, and adopting new FEMA Flood Insurance Rate Maps, as mandated by FEMA, at first reading."

**AGENDA ITEM
APPROVED BY:**

William D. Denny, City Manager

ATTACHMENTS:

- Ordinance No. 03-2014
- Exhibit A: Chapter 70, Definitions
- Exhibit B: Chapter 90, Flood Hazard Management

ORDINANCE NO. 03-2014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, AMENDING CODE OF ORDINANCES SUBPART B, LAND DEVELOPMENT CODE, BY ADDING, REVISING, AND DELETING CERTAIN PROVISIONS OF CHAPTER 70, SECTION 30 "DEFINITIONS"; REPEALING CHAPTER 90, FLOOD CONTROL AND ENACTING A NEW CHAPTER 90, FLOODPLAIN MANAGEMENT; ADOPTING FLOOD HAZARD MAPS, DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS AND FOR OTHER PURPOSES, ADOPTING LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the City's boundaries that may be subject to periodic inundation which, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the City of Deltona was accepted for participation in the National Flood Insurance Program on April 18, 1974, and the City Commission desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

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Ordinance No. 03-2014
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WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the *Florida Building Code*; and

WHEREAS, section 553.73(5), Florida Statutes, allows adoption of local administrative amendments to the *Florida Building Code* to implement the National Flood Insurance Program; and

WHEREAS, the City Commission has determined that it is in the public interest to amend Chapter 90 of the Land Development Code, to provide for continued participation and to provide better coordination between the City's floodplain management regulations and the Florida Building Code.

WHEREAS, the Planning and Zoning Board held a public hearing on January 15, 2014, and forwarded its recommendation of approval to the City Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, that the following floodplain management regulations, and the following local administrative amendments to the 2010 *Florida Building Code*, are hereby adopted.

SECTION 1. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. Code of Ordinance Subpart B of the Land Development Code, Chapter 70, Section 70-30 "Definitions" is hereby amended as follows:

See Exhibit A attached hereto

SECTION 3. Code of Ordinance Subpart B of the Land Development Code, Chapter 90 “Floodplain Management”, is hereby amended as follows:

See Exhibit B attached hereto

SECTION 4. Fiscal Impact. In terms of design, plan application review, construction, and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits for consumers.

SECTION 5. 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 6. 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 _____, 2014.

First Reading: _____

Advertised: _____

Second Reading: _____

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

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ATTEST:

JOYCE RAFTERY, City Clerk

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

GRETCHEN R. H. VOSE, City Attorney