

AFTER ACTION AGENDA

REGULAR CITY COMMISSION MEETING
MONDAY, APRIL 20, 2015
6:30 P.M.

DELTONA COMMISSION CHAMBERS
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA

AGENDA

1. CALL TO ORDER
2. ROLL CALL - CITY CLERK
3. INVOCATION AND PLEDGE TO THE FLAG:
 - A. Silent Invocation Presented by Mayor Masiarczyk.
4. APPROVAL OF MINUTES & AGENDA:
 - A. Approval of Minutes –Regular City Commission Meeting of April 6, 2015.

The Commission voted unanimously to approve the minutes of the Regular City Commission Meeting of April 6, 2015, as amended.
 - B. Additions or Deletions to Agenda.

Acting City Manager Dale Baker pulled Item 9-A from the agenda.
5. PRESENTATIONS/AWARDS/REPORTS:
 - A. Presentation - William S. Harvey Deltona Scholarship Award Certificates.
 - B. Presentation - Traveling Trophy from the American Lung Association's *Fight for Air Climb* - 1st Place - Overall Firefighter Award for Best Times and Highest Fundraising 2015.
 - C. Presentation by Team Volusia Economic Development Corporation (EDC).
 - D. Presentation - Quarterly Reports of City Advisory Boards/Committees.

6. CITY COMMISSION SPECIAL REPORTS:

**7. PUBLIC FORUM – Citizen comments for any items.
(4 minute maximum length)**

CONSENT AGENDA: All items marked with an * will be considered by one motion unless removed from the Consent Agenda by a member of the City Commission. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

8. CONSENT AGENDA:

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

At the Regular City Commission Meeting on August 15, 2011 the Commission approved Resolution No. 2011-29 creating the following two (2) Deltona Economic Development Advisory Board Sub-Committees: Educational and Medical Sub-Committee and a Commercial Park and Sunrail Sub-Committee. Since their creation the Sub-Committees have change named several times depending on the tasks assigned.

At this time staff is asking that the Commission sunset both the DEDAB Educational and Medical Sub-Committee and the DEDAB Commerce Park Research Project Sub-Committee as both the Sub-Committees have completed the tasks assigned to them.

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

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

At the City Commission Workshop on Tuesday, January 11, 2011, the Commission asked for a review of all Board/Committee/Sub-Committee By-Laws to be completed within the next 90 days for presentation to the City Commission for final approval. The inconsistencies and issues noted by the Mayor and Commissioners were addressed. The Boards/Committees reviewed their By-Laws and staff provided copies of the completed and uniform By-Laws for each.

At the City Commission Workshop on May 3, 2011, the Commission recommended several additional changes to the Board/Committee By-Laws. The Commission suggested that staff create a "generic" set of By-Laws that could be

used by all the Board/Committees with the exception of the Planning and Zoning Board and the Firefighter's Pension Plan Board of Trustees. Once staff completed the generic By-Laws they were distributed to the Mayor and Commissioners for their review and any other suggested changes they may have. As of the Regular City Commission Meeting of Monday, June 20, 2011 there have been no additional suggestions or changes to the By-Laws from the Mayor and Commissioners.

After discussion, the Commission voted unanimously to table this item.

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

At the end of 2015, the City of Deltona will be an established community of 50 years. Within that time, the infrastructure and lotting-pattern of the City has experienced functional obsolescence and changes to newer real estate development prototypes. The design of the City 50 years ago served an important historical purpose. However, that portion of the City identified in the attached Findings and Declarations of Necessity (Findings) now has an established preponderance of blight to qualify to receive a Community Redevelopment Area (CRA) designation.

The following is a brief summary of strategic planning and CRA efforts pertaining to the City:

- 1. 2007 – The City hires Strategic Planning Group (SPG) to provide the 5-Year Strategic Economic Development Plan (attached).*
- 2. 2007 – The City hires Real Estate Research Consultants (RERC) to create two Findings of Necessity (attached); one for Deltona Boulevard and the other for the Activity Center.*
- 3. 2010 – Volusia County creates two resolutions that govern CRAs.*
- 4. 2012 – City Planning staff writes the Findings and Declarations of Necessity for the area that extends from Saxon Boulevard to the north and DeBary Avenue to the south, generally centered along Deltona Boulevard.*
- 5. 2012 – The City adopts Resolution No. 2021-30, in accordance with Chapter 163, Florida Statutes, establishes the necessity for redevelopment and preponderance of blight; approves the Findings and Declarations of Necessity; and allows the City to notify taxing authorities and to receive a delegation of authority from Volusia County.*

6. 2012 – Volusia County places a temporary moratorium on CRA applications to revisit the 2010 resolutions and to study the CRA process, before any new CRAs are approved.
7. 2014 – Volusia County updates its by-laws governing CRAs and approves CRAs for the cities of New Smyrna Beach, Orange City, and Edgewater. Orange City and Edgewater elected to create Redevelopment Plans prior to their delegation of authority.
8. 2014-15 – City of Deltona places a Request for Proposal (RFP) through procurement to solicit consultant services to review the Findings for updates, prepare the documentation to request a delegation of authority from Volusia County, and to present to the County Council on the City's behalf to achieve that delegation.

Based on the responses received for the RFP, the selection committee selected Strategic Planning Group for their experience working with the City on the Strategic Plan and within Volusia County and throughout Florida on CRAs. With City Commission approval, staff will bring forward an Agenda Item to allocate funds from the Economic Development Fund Balance Reserve and to approve the use of Strategic Planning Group as the City's CRA consultant to achieve delegation of authority from Volusia County.

Following Volusia County delegation of authority, the City will have to establish a CRA Board, a CRA Trust Fund, establish sunset period and a base/freeze year to set the tax increment period, and to create a Redevelopment Plan. Those efforts are outside of the scope of this delegation effort.

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

9. ORDINANCES AND PUBLIC HEARINGS:

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

The City has received a petition requesting the creation of a new Street Lighting District for London Avenue. The petition bears thirteen (13) signatures representing 54% of the property within the proposed boundaries. The proposed District will include the installation of nine (9) 100 watt roadway/cobrahead street lights on existing overhead distribution poles. Twenty-Four (24) platted lots of approximately equal size exist within the proposed street lighting district. The estimated annual charge per platted lot for the first year is \$87.11. The

estimated annual charge per platted lot for the second and subsequent years is \$37.04. The assessment fee will be evaluated annually and adjusted based on actual charges from the power company.

On December 15, 2014, the City Commission approved the preliminary assessment resolution (Resolution No. 2014-37) to create this district.

Item was pulled from the agenda by the Acting City Manager.

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

The City has received a petition requesting the creation of a new Street Lighting District for Coachman Drive. The petition bears seven (7) signatures representing 54% of the property within the proposed boundaries. The proposed District will include the installation of three (3) 70-watt cobrahead street lights on existing overhead distribution poles. Thirteen (13) platted lots of approximately equal size exist within the proposed street lighting district. The estimated annual charge per platted lot for the first year is \$126.15. The estimated annual charge per platted lot for the second and subsequent years is \$41.54. The assessment fee will be evaluated annually and adjusted based on actual charges from the power company.

On December 15, 2014, the City Commission approved the preliminary assessment resolution (Resolution No. 2014-36) to create this district.

After discussion, the Commission voted unanimously to adopt the Final Assessment Resolution No. 2015-11, creating the Coachman Drive Street Lighting District.

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

The City of Deltona received the Arbor Ridge Unit 5 Final Plat (Final Plat) application to complete construction within the subdivision. Arbor Ridge Units 1 through 4 have been developed as established neighborhoods and, due to an economic recession, Unit 5 within the master planned subdivision was not constructed.

Berkshire Woods Terrace was developed to serve Unit 4 and was stubbed-out into Unit 5. Development of Unit 5 will result in the connection of Berkshire Woods Terrace to the north and south, the extension of Sorrel Drive, the construction of Teak Drive and Teak Court, and the platting of 77 residential lots. As planned, the lots will accommodate single-family residential homes that are consistent and compatible with the existing homes in Arbor Ridge, as well as the site's future land use designation and zoning classification.

After discussion, the Commission voted 6 to 1 (Commissioner Nabicht voted against the motion) to approve the Arbor Ridge Unit 5 Final Plat (FP 14-002).

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

At the City Commission's regular meeting held on March 16, 2015, Commissioner Herzberg suggested that the City look into ordinances regarding panhandling, public intoxication and vagrancy.

The ordinance was approved at first reading with the addition of Section 45-3 Penalty, adding the words "school" and "house of worship" and the City Attorney has also added the words "daycare facility" as it goes along with the reference to schools. Section 45-2(5) was revised as follows: "area within thirty feet (30'), in any direction, of the entrance or exit of a commercial, retail, office, or governmental building, house of worship, public or private school, or daycare facility, unless the person soliciting has explicit written permission from the owner of such property;"

After discussion, the Commission voted unanimously to adopt Ordinance No. 04-2015 at second and final reading.

10. **OLD BUSINESS:** None.
11. **NEW BUSINESS:** None.
12. **CITY ATTORNEY COMMENTS:**
13. **CITY MANAGER COMMENTS:**
14. **CITY COMMISSION COMMENTS:**
15. **ADJOURNMENT:**

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

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