



CITY COUNCIL MEETING

January 03, 2024 at 6:30 PM

City Council Chambers, 16 Colomba Rd.

DeBary, Florida 32713

AGENDA

CALL TO ORDER

Invocation

Flag Salute

ROLL CALL

PUBLIC PARTICIPATION: For any items **NOT ON THE AGENDA**, citizen comments are limited to three (3) minutes per speaker. For items **ON THE AGENDA**, citizen comments are limited to five (5) minutes per speaker. Speakers will be called when the item is introduced for discussion.

APPROVAL OF MINUTES

1. Regular City Council Meeting December 6, 2023
2. Special City Council Meeting December 20, 2023

ADDITIONS, DELETIONS OR AMENDMENTS TO THE AGENDA

CONSENT AGENDA

3. Staff is requesting City Council approve the Easement Agreement with Metronet Infrastructure Group, LLC., for the installation of fiber optic equipment on City property, as described in the easement language.

PUBLIC HEARINGS

4. Staff is requesting the City Council approve the second reading of Ordinance No. 12-2023, amending the text of the City's Comprehensive Plan (Plan) Future Land Use Element and Future Land Use Map (FLUM) to remove the Industrial/Utility (I/U) Future Land Use classification and replace it with a new Public/Utility (P/U) classification.
5. Staff is requesting the City Council approve the second reading of Ordinance No. 13-2023, amending the Land Development Code (LDC) to update the Zoning/Future Land Use Compatibility Matrix in accordance with Ordinance No. 12-2023.
6. City Manager is requesting City Council approve the second reading of Ordinance No.14-2023, Submitting to Referendum an Amendment to the City Charter to Allow Council Members to Run for the Position of Mayor without the need for a One Year Hiatus.
7. Staff is requesting the City Council approve the first reading of Ordinance No. 03-2024, amending the Riverside Business Planned Unit Development (BPUD) to add certain permitted uses to the development agreement (DA) and minimum parking requirements therein.

NEW BUSINESS

- [8.](#) Staff is requesting the City Council approval of Danus Utilities Proposal for the inspecting, cleaning and/or repairing of the Air Relief Values with the Western Emergency Pumping System.

COUNCIL MEMBER REPORTS / COMMUNICATIONS

Member Reports/ Communications

- A. Mayor and Council Members
- B. City Manager
- C. City Attorney

DATE OF UPCOMING MEETING / WORKSHOP

Special City Council Meeting January 17, 2024, 6:30 p.m.

ADJOURN

If any person decides to appeal any decision made by the City Council 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 (FS 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least three (3) working days in advance of the meeting date and time at (386) 668-2040.



CITY COUNCIL MEETING

December 06, 2023 at 6:30 PM

City Council Chambers, 16 Colomba Rd.

DeBary, Florida 32713

MINUTES

CALL TO ORDER: Mayor Chasez called the meeting to order at 6:30 p.m.

ROLL CALL: Mayor Chasez, Vice-Mayor Butlien, and Council Members Pappalardo, Sell and Stevenson are present.

Others present: Carmen Rosamonda, City Manager; Kurt Ardaman, City Attorney; Joseph Barker, Senior Planner; Elizabeth Bauer, Finance Director; Eric Frankton, Information Technology Director; Kevin Hare, Construction Engineer; Cristina Raimundo, Communications Specialist; Jason Schaitz, Parks & Recreation Director; and, Shari Simmans, Economic Development & Government Affairs Director.

PUBLIC PARTICIPATION: For any items **NOT ON THE AGENDA**, citizen comments are limited to three (3) minutes per speaker. For items **ON THE AGENDA**, citizen comments are limited to five (5) minutes per speaker. Speakers will be called when the item is introduced for discussion.

No one addressed Council.

APPROVAL OF MINUTES: Motion by Vice-Mayor Butlien to approve the minutes of the Regular City Council Meeting November 1, 2023, and the Special City Council Meeting November 15, 2023. Seconded by Council Member Pappalardo. Motion passed unanimously.

ADDITIONS, DELETIONS OR AMENDMENTS TO THE AGENDA: None.

PRESENTATIONS:

Certificate of Recognition: Don Neyer, 50th Anniversary, DeBary Volunteer Fire Department. Mayor Chasez read and presented a Certificate of Recognition to Mr. Neyer for his 50 years of service.

Transportation Planning Organization Citizens' Advisory Committee Update: John MacFarlane, Committee Member. Mr. MacFarlane gave an update on the various reviews the Committee has been involved with in the past several months.

Certificate of Achievement for Excellence in Financial Reporting: Elizabeth Bauer, Finance Director. Ms. Bauer explained the extensiveness of an annual comprehensive financial audit, and the review process. She also added that this was the highest form of recognition in government financial reporting.

PUBLIC HEARINGS:

City Manager is requesting City Council approve the first reading of Ordinance No. 14-2023, Submitting to referendum an amendment to the City Charter to allow Council Members to run for the position of Mayor without the need for a one-year hiatus.

City Attorney read the Ordinance into the record.

City Manager gave a brief history of the Charter Review Commission recommendations and City Council comments that occurred during the initial review process.

No one addressed Council.

Motion by Vice-Mayor Butlien to approve the first reading of Ordinance No. 14-2023. Seconded by Council Member Sell. Motion passed unanimously.

GROWTH MANAGEMENT AND DEVELOPMENT:

Staff is requesting City Council approve the Order of Condemnation for 239 Angeles Road, DeBary, FL. (Quasi-Judicial)

Mayor Chasez briefly reviewed the quasi-judicial process.

City Attorney swore in all those who wished to speak.

Council Members had no ex-parte communications to disclose.

Staff reviewed the timeline of the structure, the violations incurred and the structural damage.

Olivia Garcia, attorney representing the property owner, MS Man Debt LLC., addressed Council.

Motion by Vice-Mayor Butlien to approve the Order of Condemnation. Seconded by Council Member Pappalardo. Motion passed unanimously.

NEW BUSINESS:

City Manager is requesting City Council accept a proposal from Dale Beasley Construction, Inc., and approve a Work Authorization to provide stormwater construction services for the 32 Bonita Road Drainage Improvement Project.

Staff reviewed the project site and drainage issues. Due to extensive costs, the project went to bid twice, neither of which was recommended to Council. The City has a piggyback agreement with Dale Beasley, which allowed for reduced pricing on the project. Funding is available in the Stormwater Reserves.

No one addressed Council.

Motion by Council Member Stevenson to accept the proposal from Dale Beasley Construction and approve the work authorization for construction and inspection services. Seconded by Council Member Sell. Motion passed unanimously.

City Manager is requesting City Council accept this statement certifying the conditions and circumstances requiring the rental of pumps during the 2023 hurricane season.

City Manager explained the pumping requirements needed during the hurricane season and recent heavy rains. He also discussed the immediate need for pump rentals that were not pre-approved by Council.

No one addressed Council.

Motion by Council Member Stevenson to accept the statement certifying the conditions and circumstances requiring the rental of pumps. Seconded by Council Member Pappalardo. Motion passed unanimously.

City Manager is requesting City Council approve granting the authority to the City Manager, under the legal guidance of the City Attorney, to either execute the proposed extension until February 1, 2024, with the negotiated nonrefundable deposit amount and/or to close on the property, waiving the required contingencies and distributing the purchase price funds.

City Manager reviewed the history of the property purchase and sales agreement.

City Attorney discussed some of the issues involved in the closing and the extension recommendation.

No one addressed Council.

Motion by Vice-Mayor Butlien to approve authority to close on property, waiving contingencies for closing and distributing purchase price funds or authorize City Manager to execute the proposed extension until February 1, 2024. Seconded by Council Member Pappalardo. Motion passed unanimously.

COUNCIL MEMBER REPORTS / COMMUNICATIONS

Board/Committee Appointments: Hometown Heroes Recognition Program Committee Appointments.

Cristina Raimundo addressed Council.

Motion by Vice-Mayor Butlien to appoint Gale Kohler and Jean Voetberg to the Hometown Heroes Recognition Committee. Seconded by Council Member Stevenson. Motion passed unanimously.

Member Reports/ Communications

- A. Mayor and Council Members
- B. City Manager
- C. City Attorney

DATE OF UPCOMING MEETING / WORKSHOP: Special City Council Meeting December 20, 2023, 6:30 p.m.

ADJOURN: The meeting was adjourned at 8:54 p.m.

APPROVED:

**CITY COUNCIL
CITY OF DEBARY, FLORIDA**

Karen Chasez, Mayor

Annette Hatch, CMC, City Clerk



SPECIAL CITY COUNCIL MEETING

December 20, 2023 at 6:30 PM

City Council Chambers, 16 Colomba Rd.

DeBary, Florida 32713

MINUTES

CALL TO ORDER: Mayor Chasez called the meeting to order at 6:30 p.m.

ROLL CALL: Mayor Chasez, Vice-Mayor Butlien, and Council Members Pappalardo and Stevenson are present. Council Member Sell; absent.

Others present: Carmen Rosamonda, City Manager; Giffin Chumley, City Attorney; Steven Bapp, Growth Management Director; Lisa Hastedt, Recreation Supervisor; Annette Hatch, City Clerk; Delaney Lehman, Recreation Manager; David Rodriguez, Information Technology Technician; and, Jason Schaitz, Parks & Recreation Director.

COMMITTEE REPORTS: None.

PUBLIC PARTICIPATION: For any items **ON THE AGENDA**, citizen comments are limited to five (5) minutes per speaker. Speakers will be called when the item is introduced for discussion.

APPROVAL OF MINUTES: None.

ADDITIONS, DELETIONS OR AMENDMENTS TO THE AGENDA: None.

PRESENTATIONS: Light the Night Contest Awards and Parade Awards. Parks & Recreation staff showed a video of the Christmas Lights and Parade Winners. Winners were announced and awards were presented. (A copy of contest winners is attached to these minutes.)

CONSENT AGENDA:

The Parks and Recreation Department is requesting Council approve the attached proposal to replace defective playground equipment at Rob Sullivan Park.

Authorize the expenditure with Stevens and Stevens in the amount not to exceed \$75,000 for the purpose of performing digitizing services and storage of records for FY2023-2024.

Staff is requesting that City Council authorize the City Manager to execute the attached Kimley-Horn Scope to develop the City's Geographical Information System (GIS) platform.

Motion by Vice-Mayor Butlien to approve the Consent Agenda. Seconded by Council Member Pappalardo. Motion passed unanimously.

GROWTH MANAGEMENT AND DEVELOPMENT:

Staff is requesting that City Council approve the contract for plat recording of the DeBary Town Park Interim Plat.

Staff reviewed the request and its intention to accommodate the division of ownership for financing purposes.

Mark Watts, Esq., Cobb Cole, representing the applicant, addressed Council.

Neel Shivcharan, Falcone Group, addressed Council.

Motion by Vice-Mayor Butlien to approve the contract for plat recording. Seconded by Council Member Pappalardo. Motion passed unanimously.

PUBLIC HEARINGS: None.

OLD BUSINESS: None.

NEW BUSINESS: None.

INFORMATIONAL ITEMS: None.

COUNCIL MEMBER REPORTS / COMMUNICATIONS:

Board/Committee Appointments: None.

Member Reports/ Communications

- A. Mayor and Council Members
- B. City Manager
- C. City Attorney

DATE OF UPCOMING MEETING / WORKSHOP: City Council Meeting January 3, 2024, 6:30 p.m.

ADJOURN: The meeting was adjourned at 7:17 p.m.

APPROVED:

**CITY COUNCIL
CITY OF DEBARY, FLORIDA**

Karen Chasez, Mayor

Annette Hatch, CMC, City Clerk

2023 LIGHT THE NIGHT RESULTS

HOA Throw Down

- 4th Springview
- 3rd Saxon Woods
- 2nd Westridge
- 1st DeBary Golf and Country Club

Santa's Favorite

- 3rd 368 Oak Springs Dr
- 2nd 532 Quail Hill Drive
- 1st 222 Buena Vista Street

Misfit Toys

- 3rd 11 Ranch Trail Rd
- 2nd 70 Hollow Pine Drive
- 1st 416 Quail Meadow Ct

Christmas Spirit

- 3rd 339 Hickory Springs Court
- 2nd 52 Keeble Dr
- 1st 491 N. Pine Meadow Dr

Lights A Palooza

- 3rd 242 Buena Vista Street
- 2nd 625 Hayman Ct
- 1st 64 Keeble Ave

DeBary's Fan Favorite

- 2nd Runner Up- 416 Quail Meadow (103 votes)
- 1st DeBary's Favorite- 242 Buena Vista St (196 votes)

2023 PARADE RESULTS

Adult Civic

- 3rd US Submarine Veterans
- 2nd MidFlorida Jeep Club
- 1st DeBary Golf Cartin'

Adult/Youth Civic

- 3rd Joe and Isabella Popa
- 2nd Royal Mafia Dance Academy
- 1st Four Townes Moose Lodge #655

Youth Civic

- 3rd Joyful Noise Preschool and Community Church DeBary
- 2nd Girl Scouts of Citrus Monarc Trail Community
- 1st Cub Scout Pack 241

Commercial

- 3rd River City Chiro & Injury
- 2nd Devoted Managed Care Insurance
- 1st Discom Realty inc

Grand Champion

Discom Realty Inc



City Council Meeting City of DeBary AGENDA ITEM

Subject: Metronet Network Fiber Optic Equipment Easement	Attachments: () Ordinance () Resolution (X) Supporting Documents/ Contracts () Other
From: Richard Villasenor, City Senior Engineer	
Meeting Hearing Date January 3, 2024	

REQUEST

Approve Easement Agreement with Metronet Infrastructure Group, LLC for the installation of Fiber Optic Equipment on City property as described in the easement language.

PURPOSE

The Fiber Optic Equipment is to provide signal boosting function where this general location is central to their distance requirement needs.

CONSIDERATIONS

- The equipment can be beneficial to its customers in providing improved service considering remote work-from-home offices and general use.
- This is infrastructure equipment that may help improve or maintain service during severe weather events.
- The equipment is to be located at the south east corner of the DeBary Sherriff's Office property.

COST/FUNDING

There is no cost.

RECOMMENDATION

It is recommended that the City Council approve the Easement Agreement with Metronet Infrastructure Group, LLC.

IMPLEMENTATION

Effective upon council approval.

ATTACHMENTS

Easement Agreement
Equipment Plans
Clear Site Presentation



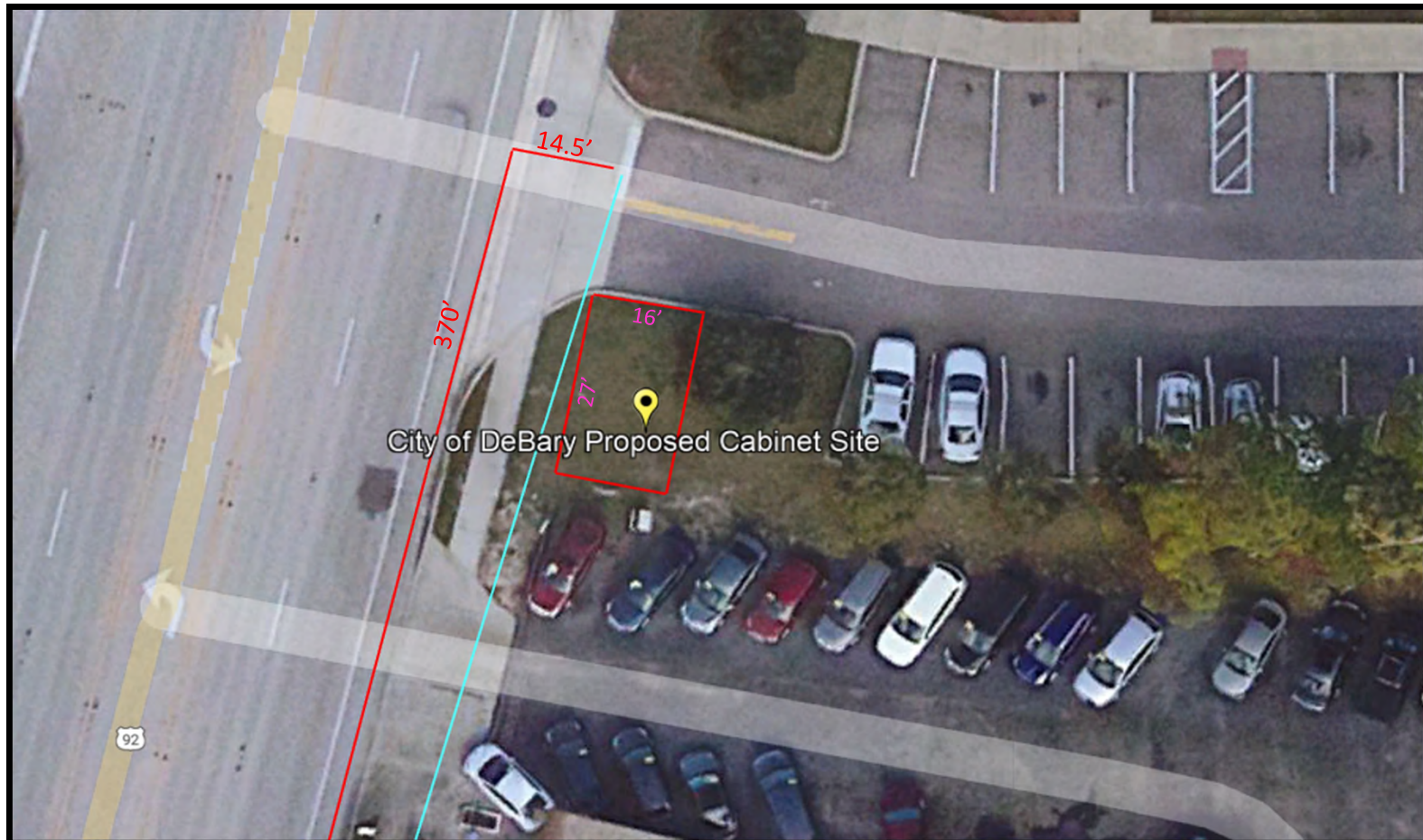
Clear Sight Line – Based on FDOT Design Standards FY 2012/2013 – Design Speed 40 MPH



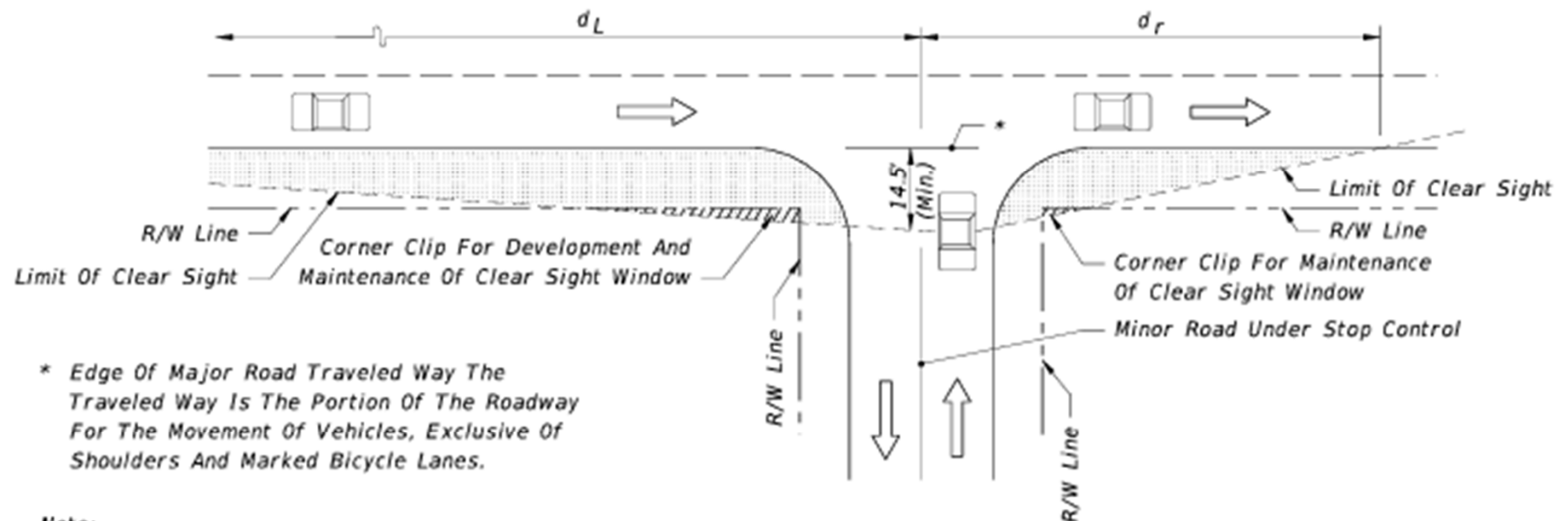
By: Eugene Hunton



Aerial View of Proposed Cabinet Area in relation to the Limit of Clear Sight



By: Eugene Hunton



* Edge Of Major Road Traveled Way The Traveled Way Is The Portion Of The Roadway For The Movement Of Vehicles, Exclusive Of Shoulders And Marked Bicycle Lanes.

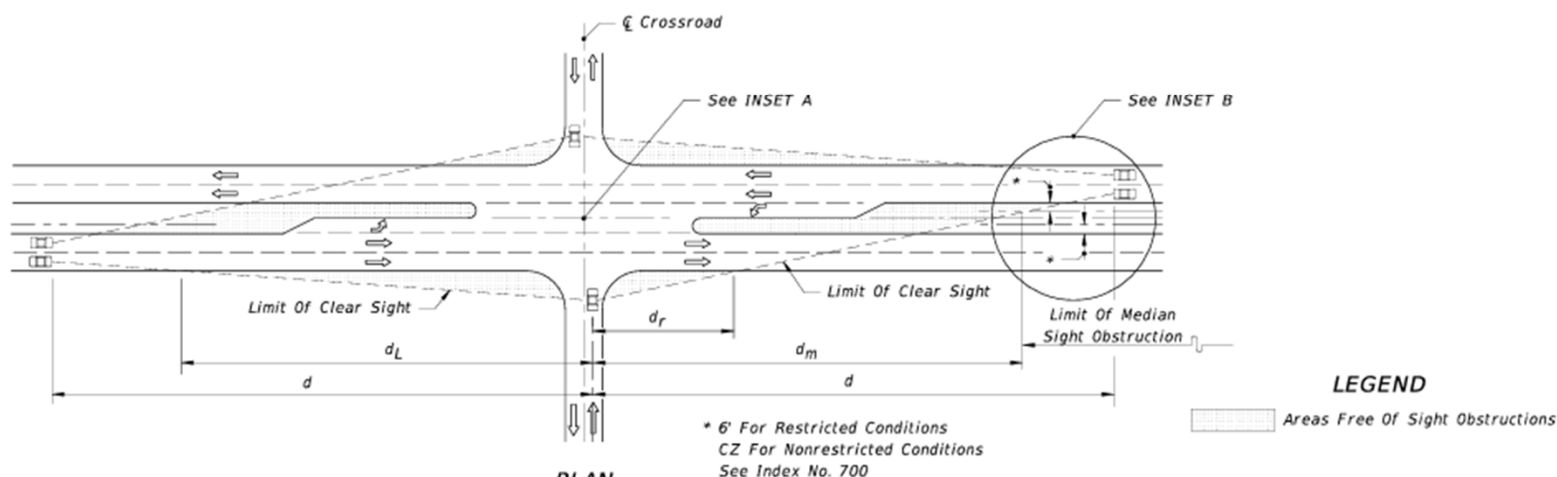
Note:
Lines For 'Limit Of Clear Sight' Are Opposite Hand When Major Road Near Lane Traffic Moving Left (e.g., One-Way Left).

PICTORIAL
ORIGIN OF CLEAR SIGHT LINE
ON MINOR ROAD

MEDIAN 22' OR LESS				
Design Speed	d	d_L	d_r	d_m
30	390	280	90	320
35	460	330	100	380
40	520	370	110	430
45	590	420	130	480
50	650	460	140	530
55	720	510	160	590
60	780	550	170	640
65	850	600	190	700

25'-64' MEDIAN				
Design Speed	d	d_L	d_v	d_{vL}
30	290	210	330	230
35	330	230	390	280
40	380	270	440	310
45	430	300	500	350
50	480	340	550	390
55	530	370	610	430
60	570	400	660	470
65	620	440	720	510

PASSENGER VEHICLE (P)



METRONET NETWORK CABINET CONSTRUCTION DRAWINGS

metronet
3701 COMMUNICATIONS WAY
EVANSVILLE, IN 47715
812-213-1095

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4-BAY NETWORK
CABINET
DEBARY, FL

DESIGN ENG: LWW

DRAWN BY: SLF

REVIEWED BY: LWW

SUBMITTALS		
DATE	DESCRIPTION	REV
11/2/23	PERMITTING	A

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CABINET DETAILS	03-05
ELECTRICAL DETAILS/ GROUNDING PLAN	06

PERMITTING

SCALE: NTS

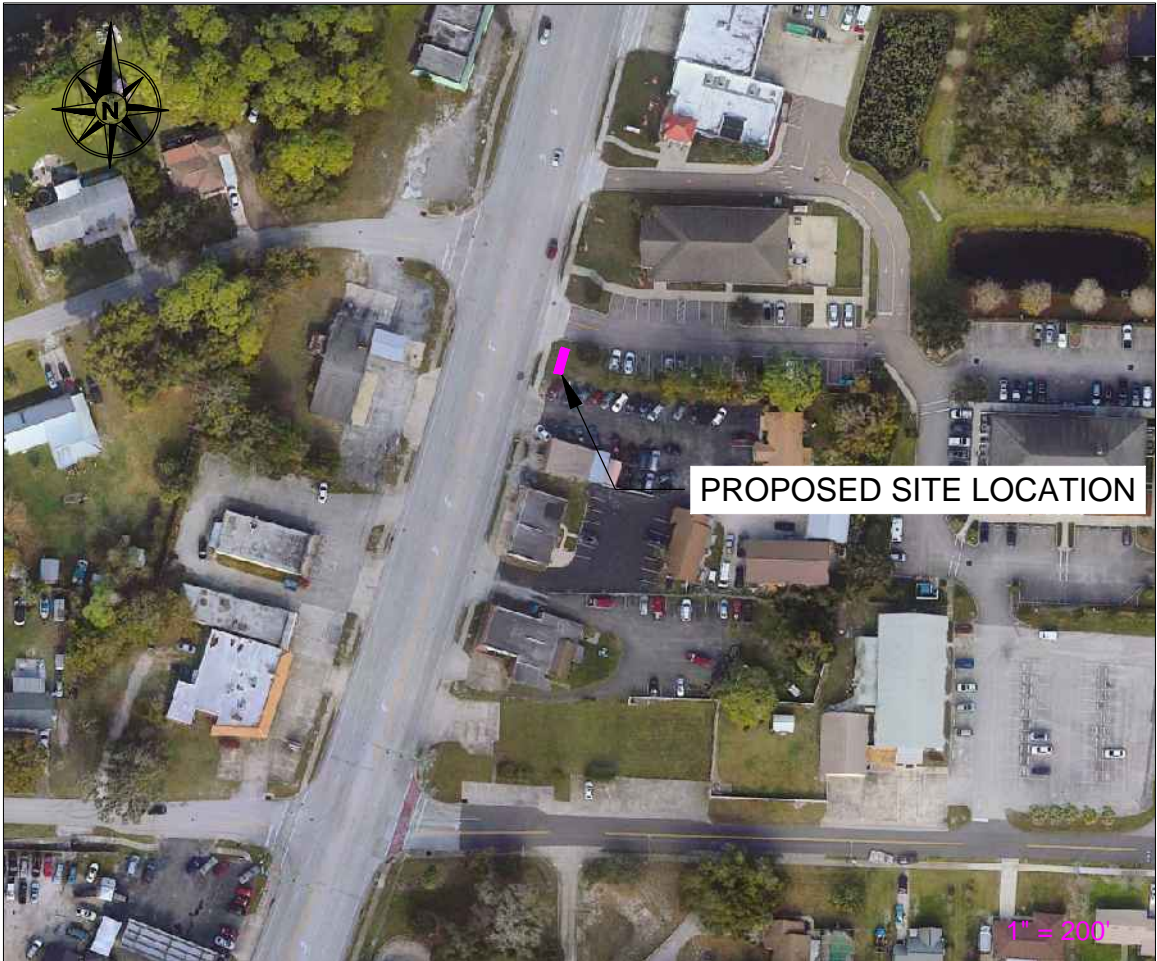
SITE ADDRESS:
28.883783, -81.308261

SITE NAME:
DEBARY CABINET

SHEET NAME:
COVER SHEET

SHEET NUMBER:
1

SITE LOCATION MAP
LAT/LONG: 28.883783, -81.308261



CALL 48 HOURS
BEFORE DIGGING



Know what's below.
Call before you dig.

METRONET CONTACTS:


PROJECT DIRECTOR:

CHRIS DEER
334-805-7607
CHRISTOPHER.DEER@METRONET.COM

ENGINEER:

LEE W. WRIGHT, P.E.
METRONET
8837 BOND ST
OVERLAND PARK, KS 66214
(810)-333-2303
LEE.WRIGHT@METRONET.COM





3701 COMMUNICATIONS WAY
EVANSVILLE, IN 47715
812-213-1095

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4-BAY NETWORK CABINET
DEBARY, FL

DESIGN ENG: LWW

DRAWN BY: SLF

REVIEWED BY: LWW

SUBMITTALS		
DATE	DESCRIPTION	REV
11/2/23	PERMITTING	A

PERMITTING






SCALE: 1" = 32'

SITE ADDRESS: 28.883783, -81.308261

SITE NAME: DEBARY CABINET

SHEET NAME: SITE PLAN

SHEET NUMBER: 2

LEGEND	
	WATER LINE
	FIBER OPTIC CABLE
	GAS LINE
	TELEPHONE LINE
	BURIED ELETRIC

4-BAY NETWORK
CABINET
DEBARY, FL

DESIGN ENG: LWW

DRAWN BY: SLF

REVIEWED BY: LWW

SUBMITTALS

DATE	DESCRIPTION	REV
11/2/23	PERMITTING	A

PERMITTING

SCALE: NTS

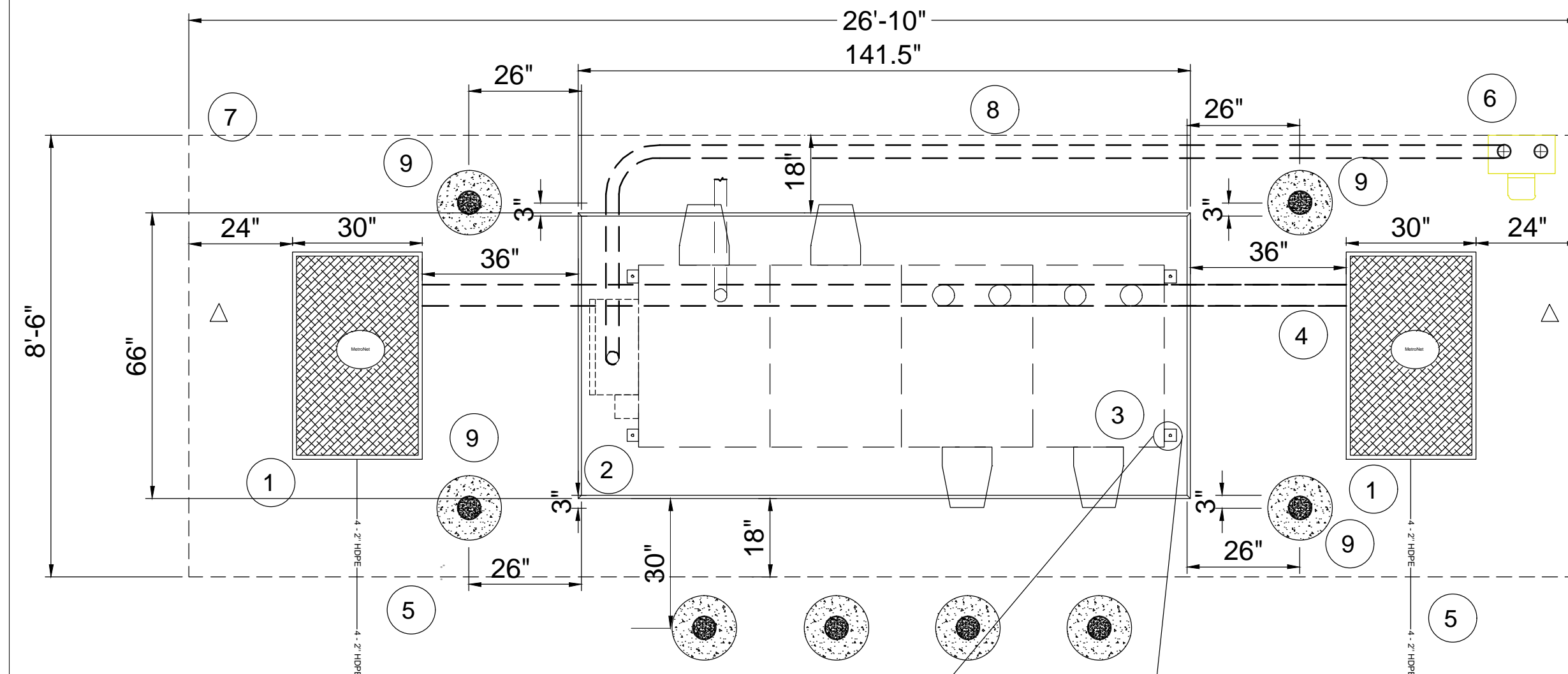
SITE ADDRESS:
28.883783, -81.308261

SITE NAME:
DEBARY CABINET

SHEET NAME:
CABINET DETAILS

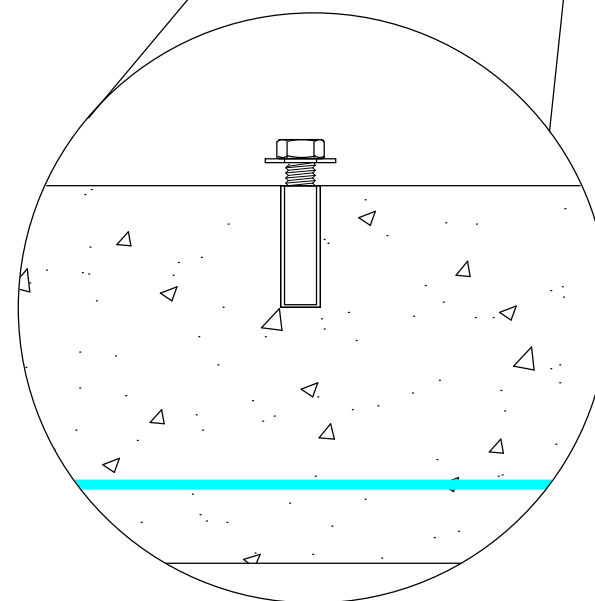
SHEET NUMBER:

3



NOTES:

- 30"W X 48"L X 30"D Handhole
- Cabinet Concrete Pad 141.5"L X 66"W
- Cabinet Footprint 121"L X 42"W X 62.5"H
- 4" SCH 40 PVC Conduit
- 4 Ea. 2" HDPE Duct
- Meter Pedestal (ELECTRICAL)
- 2" SCH 40 PVC Elect. Conduit-UL Listed
- Ground Field Extents
- 6" ID DIA x 7' L Steel Pipe Bollard, Concrete Filled. (As Required, Site Specific)



CONCRETE FASTENING TYPICAL
1/2" STAINLESS STEEL DROP IN
ANCHOR - 1/2" NUT & FLAT WASHER

INSTALLATION NOTE:
DRILL AND INSTALL WEDGE ANCHORS
DURING PLACEMENT OF THE CABINET
ONTO THE PAD TO INSURE
PLACEMENT ACCURACY.

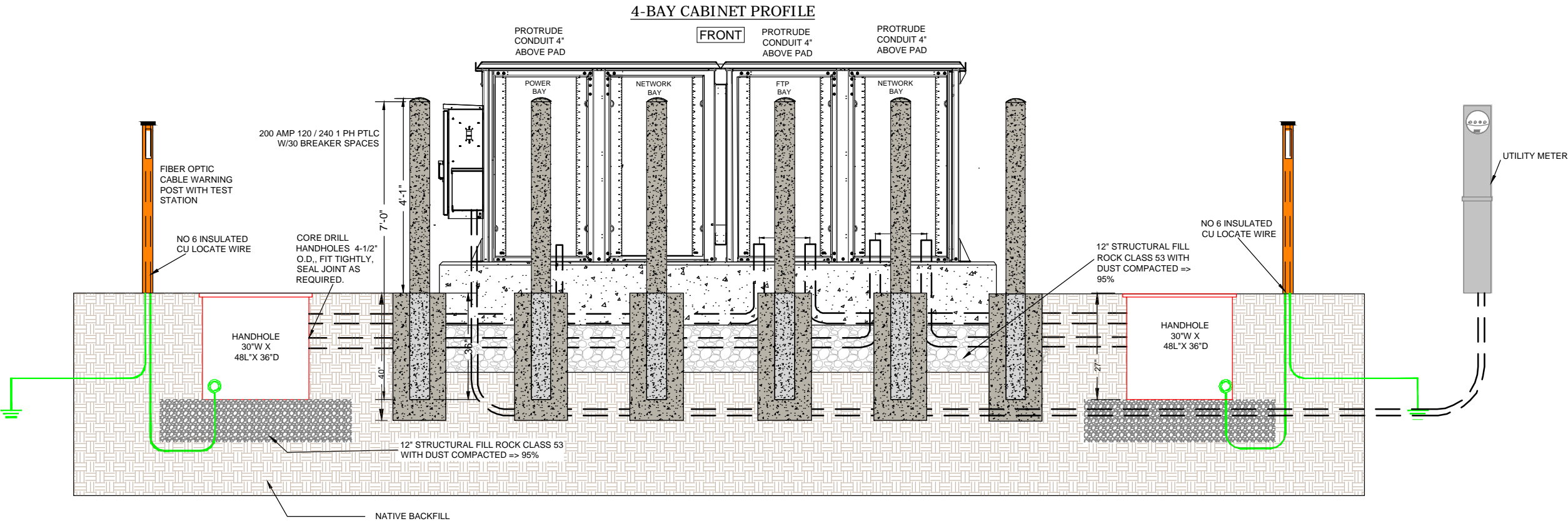
BOLLARDS - OPTIONAL AS SITE DICTATES
PIPE BOLLARD SPECIFICATIONS:


CARBON STEEL PIPE SHALL BE 6"ID DIA X 7'L, CONFORMING TO SCHEDULE 40 ASTM A 53 GRADES A AND B.

- 1. PIPE SHALL BE FILLED WITH A MIN 3,000 PSI CONCRETE. A DOMED CAP 1" HIGH SHALL BE HAND FORMED TO PROVIDE WATER RUNOFF. PIPE WILL BE 4' ABOVE GRAD AND 3' BELOW GRADE.
- 2. CONCRETE FOOTER SHALL BE A MIN 3,000 PSI CONCRETE, 40"D X 15" DIA.
- 3. PIPE SHALL BE PROVIDED FACTORY PAINTED WITH RUST INHIBITOR PRIMER FINISH. THE FINAL FINISH SHALL BE PAINTED YELLOW.

GENERAL NOTE:

- A.) A FINAL INSPECTION OF THE SITE CONFIRMING THE SITE IS RESTORED AND CLEANED UP SHALL BE COMPLETED BY THE PROJECT MANAGER PRIOR TO FINAL METRONET ACCEPTANCE OF THE WORK.





3701 COMMUNICATIONS WAY
EVANSVILLE, IN 47715
812-213-1095

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4-BAY NETWORK
CABINET
DEBARY, FL

DESIGN ENG:	LWW
DRAWN BY:	SLF
REVIEWED BY:	LWW

SUBMITTALS		
DATE	DESCRIPTION	REV
11/2/23	PERMITTING	A

PERMITTING

SCALE:	NTS
SITE ADDRESS:	28.883783, -81.308261
SITE NAME:	DEBARY CABINET
SHEET NAME:	CABINET DETAILS
SHEET NUMBER:	4

4-BAY NETWORK
CABINET
DEBARY, FL

DESIGN ENG: LWW

DRAWN BY: SLF

REVIEWED BY: LWW

SUBMITTALS

DATE	DESCRIPTION	REV
11/2/23	PERMITTING	A

PERMITTING

SCALE: NTS

SITE ADDRESS:
28.883783, -81.308261

SITE NAME:
DEBARY CABINET

SHEET NAME:
CABINET DETAILS

SHEET NUMBER:

5

SPECIFICATIONS AND NOTES

SITE:

STRUCTURAL FILL SHALL BE MECHANICALLY COMPACTED IN 6" LIFTS TO 95% OR GREATER PROCTOR (ASTM D-698). WITH A COMPACTION TEST RUN ON EACH LIFT (1 TEST PER 248 SF). STRUCTURAL FILL SHALL EXTEND A MINIMUM OF 12" BEYOND THE PAD PERIMETER. ALL SUBGRADE WITHIN THE SLAB AREA SHALL BE COMPACTED TO 95% STANDARD PROCTOR. THE CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE ON THE SITE AT ALL TIMES. ALL EXCAVATION SHALL BE FREE OF WATER BEFORE PLACING CONCRETE.

CONCRETE CODE:

ALL CONCRETE SHALL BE MIXED, FORMED, FINISHED, CURED, AND PROTECTED IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE PORTLAND CEMENT ASSOCIATION (PCA) AND THE AMERICAN CONCRETE INSTITUTE (ACI)

MIX:

PORTLAND CEMENT SHALL CONFORM TO ASTM C150, TYPE II. MIX SHALL HAVE 20% (BY CEMENTITIOUS MATERIAL WEIGHT) FLY ASH CONFORMING TO ASTM C618, CLASS F. MIX SHALL BE FIBER REINFORCED CONFORMING TO ASTM A820-06 - STANDARD SPECIFICATIONS FOR COMMERCIAL FIBER-REINFORCED CONCRETE. AGGREGATE SIZE SHALL BE 1/2" NOMINAL AND SHALL CONFORM TO ASTM C33. MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS SHALL BE 4000 PSI. MAXIMUM SLUMP SHALL BE 5.5 INCHES. NO STRENGTH ACCELERATING ADDITIVES WITHOUT APPROVAL OF ENGINEER.

REINFORCEMENT STEEL:

REINFORCING SHALL BE DEFORMED BILLET-STEEL BARS CONFORMING TO ASTM A615, GRADE 60. REINFORCEMENT SHALL BE COLD BENT AND SHALL NOT BE WELDED. REINFORCEMENT SHALL BE CLEANED SO AS TO BE FREE OF OIL, DIRT, LOOSE MILL SCALE, AND LOOSE RUST OR OTHER COATINGS THAT WOULD DESTROY OR REDUCE THE BOND.

REINFORCEMENT CONTINUITY:

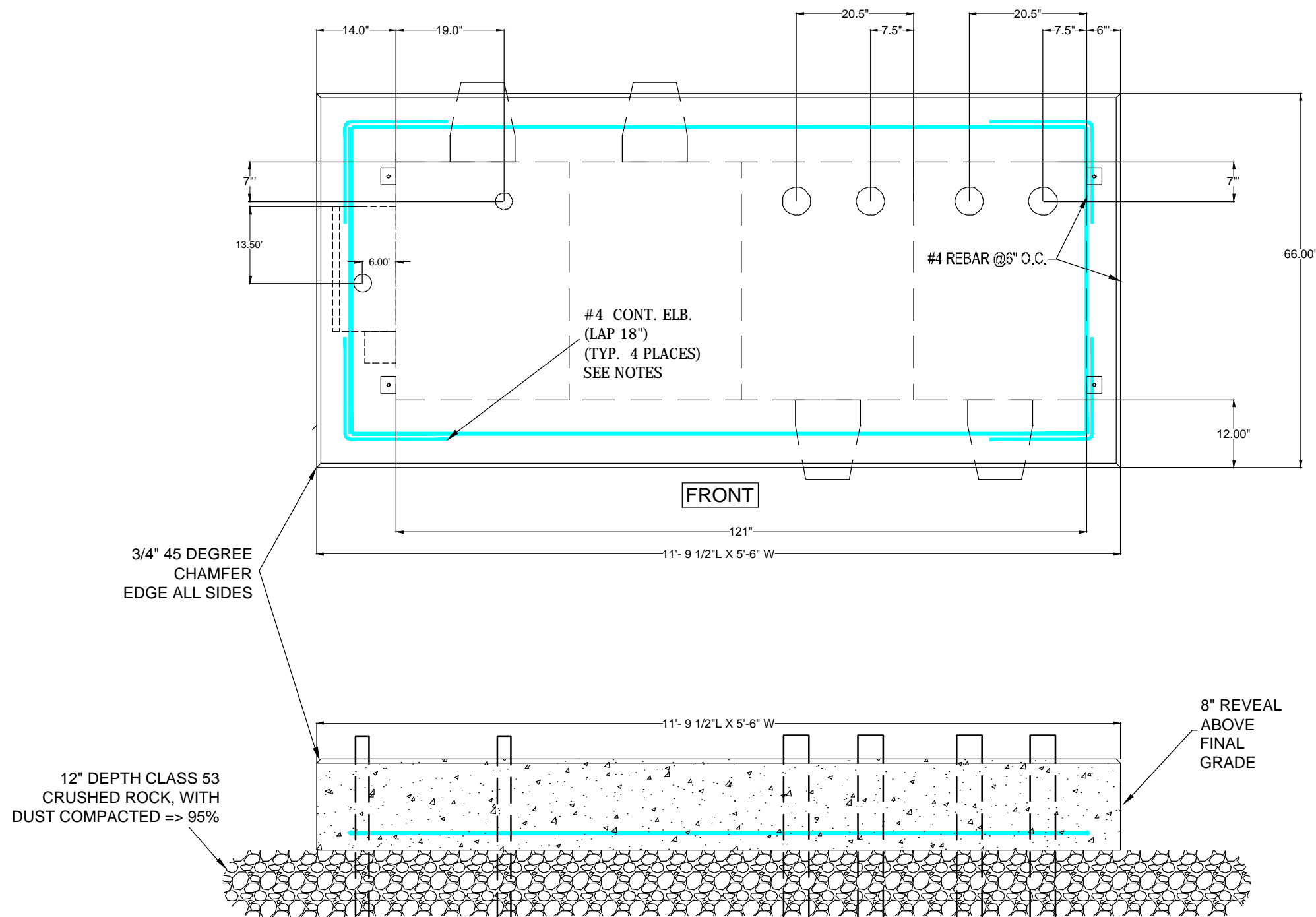
UNLESS SHOWN OTHERWISE ON THE DESIGN DRAWINGS, ALL REINFORCEMENT SHALL BE PLACED CONTINUOUS BY LAP SPlicing, UNLESS DETAILED OTHERWISE ON DESIGN DRAWINGS. REINFORCEMENT SHALL BE ACCURATELY PLACED AS PER ACI 301 AND SECURELY TIGHTLY TIED INTO POSITION WITH NO. 16 GA. ANNEALED WIRE NO GREATER THAN 2" INTERVALS ALONG THE LAP SPlicing.

PLACEMENT AND CURE:

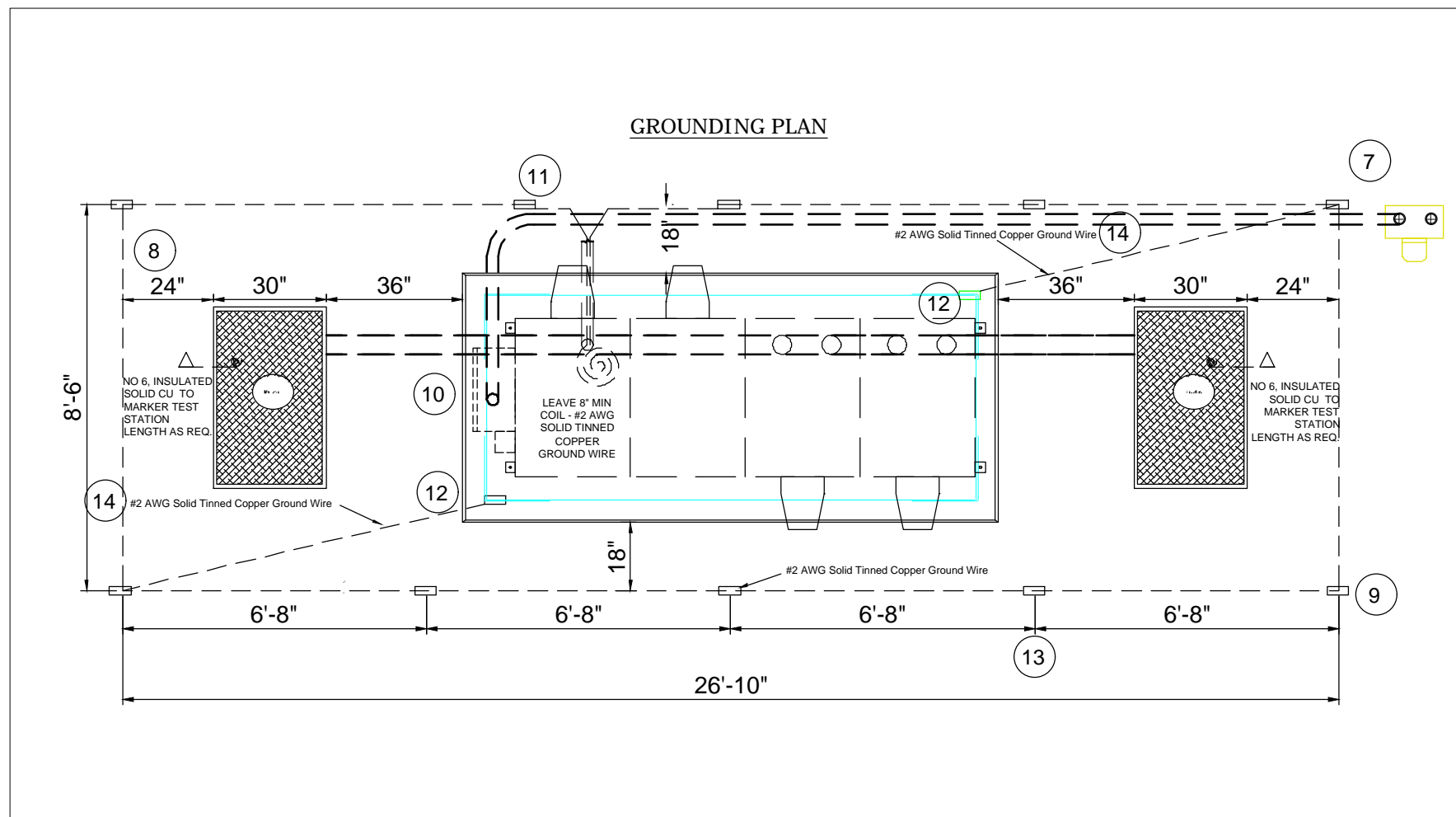
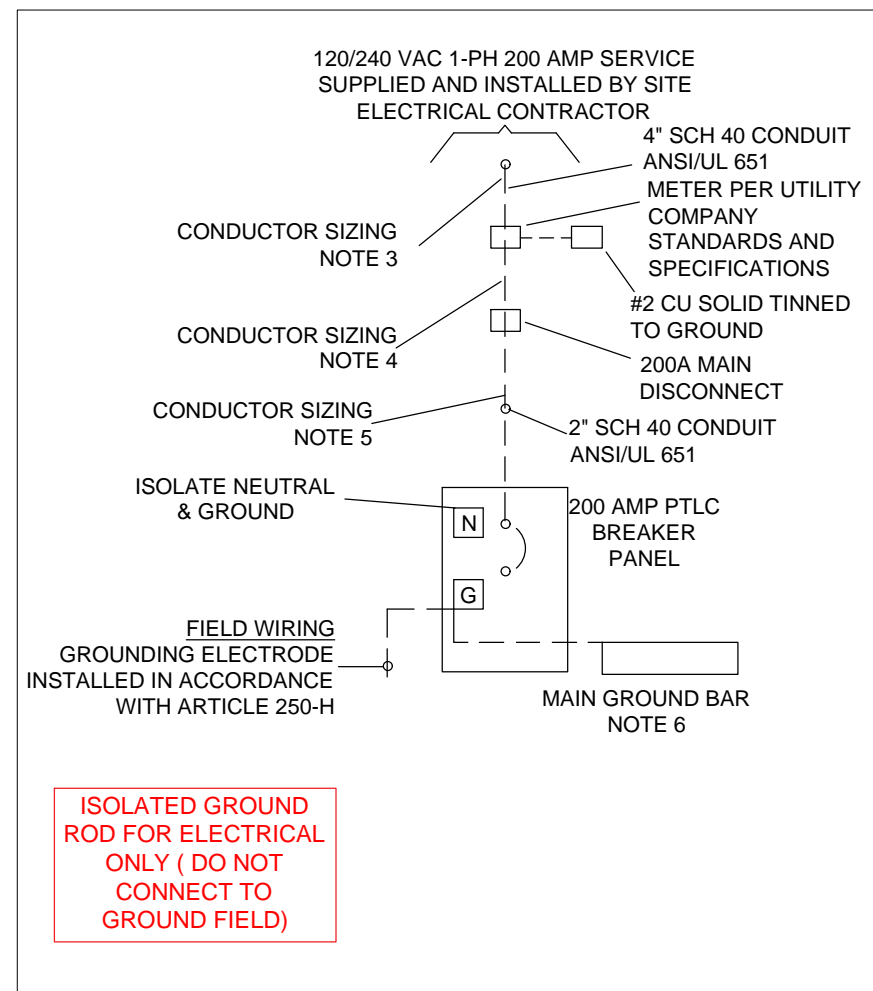
PRODUCTION OF CONCRETE SHALL COMPLY WITH CHAPTER 7 OF ACI 301. PLACEMENT OF CONCRETE SHALL BE IN ACCORDANCE WITH CHAPTER 8 OF ACI 301. DURING HOT WEATHER, THE TEMPERATURE OF THE CONCRETE, AS PLACED, SHALL NOT EXCEED 90° F. DURING COLD WEATHER, CONCRETE SHALL BE MAINTAINED ABOVE 50° F FOR AT LEAST 7 DAYS AFTER PLACEMENT. HOT AND COLD WEATHER CONCRETE PLACEMENT SHALL BE IN ACCORDANCE WITH ACI 305 AND ACI 306. FRESHLY DEPOSITED CONCRETE SHALL BE PROTECTED FROM PREMATURE DRYING AND EXCESSIVELY HOT OR COLD TEMPERATURES AND SHALL BE MAINTAINED WITH MINIMAL MOISTURE LOSS AT A RELATIVELY CONSTANT TEMPERATURE FOR THE PERIOD OF TIME NECESSARY FOR THE HYDRATION OF THE CEMENT AND PROPER HARDENING OF THE CONCRETE. ALL NEWLY PLACED CONCRETE SHALL BE KEPT MOIST FOR A MINIMUM OF 7 DAYS. CURING SHALL CONFORM TO THE REQUIREMENTS IN CHAPTER 12, ACI 301.

FINISHING:

TIE HOLES, HONEYCOMBS, AND OTHER CONCRETE SURFACE DEFECTS SHALL BE REPAIRED IN ACCORDANCE WITH CHAPTER 9 OF ACI 301 AS SOON AS PRACTICABLE AFTER FORM REMOVAL. THE REPAIR SHALL BE PERFORMED IN SUCH A MANNER AS TO NOT DELAY, INTERFERE WITH, OR IMPAIR THE PROPER CURING OF THE FRESH CONCRETE. THE ENGINEER SHALL BE NOTIFIED BEFORE PROCEEDING WITH REPAIR IF THE DEFECT IS GREATER THAN 5 INCHES DEEP AND LARGER THAN 200 SQUARE INCHES IN SURFACE AREA, OR IF THE DEPTH IS OVER 1/3 THE THICKNESS OF THE MEMBER AND GREATER THAN 6 INCHES IN ANY OTHER DIRECTION.



NETWORK 4-BAY CABINET CONCRETE PAD CONSTRUCTION



NOTES:

- DASHED LINES DENOTE FIELD WORK.
- ISOLATE NEUTRAL & GROUND
- FEEDER CONDUCTORS (2) 3/0 CU THHN AND (1) 2/0 CU THHN NEUTRAL IN ACCORDANCE WITH NEC (ARTICLE 215.2)
- FEEDER CONDUCTORS (2) 3/0 CU THHN AND (1) 2/0 CU THHN NEUTRAL IN ACCORDANCE WITH NEC (ARTICLE 215.2).
- FEEDER CONDUCTORS (2) 3/0 CU THHN, (1) 2/0 CU THHN NEUTRAL AND #4 CU THHN GROUND IN ACCORDANCE WITH NEC (ARTICLE 215.2)
- #2 THHN BOND BETWEEN BREAKER GROUND AND MAIN GROUND BAR
- ALL LUGS THAT HOLD MORE THAN ONE WIRE SHALL BE LISTED FOR MULTI-BARRELL CONNECTIONS.
- ALL CONDUCTORS SHALL BE COPPER.
- 120/240 VAC, 200AMP, SINGLE PHASE PEDESTAL COORDINATE INSTALLATION WITH LOCAL ELECTRIC UTILITY.
- 3" SCHEDULE 40 CONDUIT, ANSI/UL 651. MEETING OR OR EXCEEDING THE REQUIREMENTS OF NEMA TC-2
- COPPER CLAD STEEL GROUND RODS, 5/8" X 8', 10 EA.
- INTERSECT 200 AMP 120/240 SINGLE PHASE POWER TRANSFER LOAD CENTER (PTLC)
- ALL GROUND RING CONDUCTORS AND GROUND ROD CONNECTIONS SHALL BE EXOTHERMIC WELDED.
- UFER GROUND-EXOTHERMIC WELD TO NO 4 REBAR, COORDINATE WITH CONCRETE CONTRACTOR.
- GROUND RING CONDUCTORS AND TOP OF GROUND RODS SHALL BE BURIED A MINIMUM DEPTH OF 18".
- HANDHOLE GROUND ROD ISOLATED FROM GROUND FIELD

metronet

3701 COMMUNICATIONS WAY
EVANSVILLE, IN 47715
812-213-1095

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4-BAY NETWORK
CABINET
DEBARY, FL

DESIGN ENG: LWW

DRAWN BY: SLF

REVIEWED BY: LWW

SUBMITTALS		
DATE	DESCRIPTION	REV
11/2/23	PERMITTING	A

PERMITTING

SCALE: NTS

SITE ADDRESS:
28.883783, -81.308261

SITE NAME:
DEBARY CABINET

SHEET NAME:
CABINET ELECTRICAL DETAILS/
GROUNDING PLAN

SHEET NUMBER:

6



City Council Meeting City of DeBary AGENDA ITEM

Subject: Ordinance # 12-2023	Attachments: (X) Ordinance () Resolution () Supporting Documents/ Contracts () Other
From: Steven E. Bapp, AICP Growth Management Director	
Meeting Hearing Date January 3, 2024	

REQUEST

Staff is requesting the City Council approve the second reading of Ordinance # 12-2023, amending the text of the City's Comprehensive Plan (Plan) Future Land Use Element and Future Land Use Map (FLUM) to remove the Industrial/Utility (I/U) Future Land Use classification and replace it with a new Public/Utility (P/U) classification.

PURPOSE

To clarify that areas of the City intended for Utilities are to continue being used exclusively for utility providers and are not intended to be used for non-utility related industrial uses.

CONSIDERATIONS

Background:

The Future Land Use Element of the Plan, Chapter 5, provides for the general designation of future distribution, location, and extent of the uses of land within the City. The goal of this Element is to facilitate the development and use of land within the City in an organized arrangement in support of appropriate development of the overall community. It is within this Element that the various FLUM classifications are defined.

Policy 5.404 of the Plan defines the industrial land use classifications of the Future Land Use Element. Currently, there are three industrial classifications: Industrial/General (I/G), Industrial/Utility (I/U), and Industrial/Service (I/S). The I/G classification is intended for research and development, light manufacturing, and office uses within an industrial park setting. The I/U classification is intended for power production and related accessory uses therein (although office and conference and training centers may also be permitted). The I/S classification is intended for manufacturing, warehousing and distribution, and other outdoor industrial activities.

The I/U classification does not lend itself easily as an industrial classification. Unlike I/G and I/S, there is no permitting of other traditional industrial uses such as manufacturing or warehousing. It is primarily intended for usage by utility providers and other traditional industrial uses are not permitted in this classification, rendering its inclusion amongst the industrial classifications inconsistent with its nature.

Policy 5.405 of the Plan describes the Public/Institutional (P/I) classification of the Future Land Use Element. This Future Land Use classification provides for uses which are either publicly owned or do not lend themselves easily to the other classifications of the Future Land Use Element. Because the nature of the I/U classification does not lend itself easily to the other classifications of the Future Land Use Element, a public land use classification would be more appropriate.

On November 1, 2023, the City Council approved the first reading (transmittal hearing) of the proposed amendment. As prescribed by F.S. 163.3184(3), Staff then transmitted the proposed amendment to the Department of Commerce and all other applicable reviewing agencies, including the Volusia Growth Management Commission (VGMC). The reviewing agencies had 30 days to provide comments on the proposed amendment (no later than December 15, 2023). No comments were issued to the City.

Proposed Amendments:

Policy 5.404 would be amended to remove the I/U classification. I/G and I/S would remain within the industrial land use classification.

Policy 5.405 would be amended to create an overarching Public Land Use classification rather than the policy be dedicated solely to the P/I classification. P/I would be placed within this overarching classification, and properties under the removed I/U classification would be placed under a new Future Land Use classification called “Public/Utility” (P/U). The policy language of this new P/U classification would be identical to the existing I/U classification.

The Future Land Use Map would be amended to change the areas designated as I/U to P/U.

This amendment would not create any non-conforming uses or zoning classifications, nor would it change what is permitted on properties under this designation.

Comprehensive Plan Compatibility:

All Plan text and FLUM amendments are reviewed against the goals, objectives, and policies of the Plan. During staff’s review of the proposed ordinance, no inconsistencies were found, as the proposed amendment simply places properties used for utility production in a more appropriate overarching land use classification with no changes to the policies of the land use designation. It is compatible with all of the elements of the Plan.

Infrastructure Impacts:

The proposed amendment will not have any effect on the availability or demand on sanitary sewer, solid waste, drainage, potable water and water supply, traffic circulation, schools, or recreation. The underlying policies of the lands affected by the amendment are not being changed.

Community Planning Act:

The State of Florida’s Community Planning Act (F.S. 163.3161 to 163.3217) provides for the requirements of a Comprehensive Plan. F.S. 163.3177(6)(a) provides for the requirements of the Future Land Use Element. F.S. 163.3177(6)(a)8 requires certain analyses to be performed by the City when evaluating a FLUM amendment:

- a. *An analysis of the availability of facilities and services;*
- b. *An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site; and*
- c. *An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.*

During the course of staff's review, these analyses have all been performed. No issues were discovered.

F.S. 163.3177(6)(a)9 requires Future Land Use Element amendments to discourage the proliferation of urban sprawl and provides for indicators of FLUM amendments that do not discourage urban sprawl and those that do. F.S. 163.3164 defines urban sprawl as "...a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses."

During the course of staff's review, it has been determined the proposed amendment does not fail to discourage urban sprawl and that it discourages urban sprawl.

COST/FUNDING

None.

RECOMMENDATION

It is recommended the City Council: Upon second reading (adoption hearing), approve Ordinance # 12-2023, the proposed Plan text and FLUM amendments to remove the I/U future land use classification and replace it with the P/U classification.

IMPLEMENTATION

Because the text of the Plan is being amended and the total area affected (approximately 1,626.87 acres) is greater than 50 acres, this is a large-scale amendment, and therefore, upon adoption, the adopted amendment must follow the expedited State review process prescribed in F.S. 163.3184(3). If the City Council adopts the proposed amendment, within 10 business days thereafter, Staff must transmit the amendment to the Department of Commerce and any agency/local government that provided timely comments. Several agencies issued letters declaring they had no comments while others did not provide any statements.

The Department of Commerce must notify the City within 5 business days of any deficiencies with the transmittal. If there are no deficiencies, the adopted amendment will become effective 31 days after the Department of Commerce notifies the City that the transmittal is complete.

If the adopted amendment is challenged during this period, it will not become effective until the Department of Commerce or the Administration Commission enters a final order determining the adopted amendment to be in compliance. Upon becoming effective, Staff will officially update the Comprehensive Plan.

ATTACHMENTS

- Ordinance # 12-2023
- Future Land Use Map – Current
- Future Land Use Map – Proposed

ORDINANCE NO. 12-2023

AN ORDINANCE OF THE CITY OF DEBARY, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE CITY OF DEBARY COMPREHENSIVE PLAN TO AMEND POLICY 5.404 AND 5.405 TO DELETE THE INDUSTRIAL/UTILITY (IU) FUTURE LAND USE AND CREATE THE PUBLIC/UTILITY (PU) FUTURE LAND USE; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF DEBARY COMPREHENSIVE PLAN TO REDESIGNATE PROPERTIES PREVIOUSLY DESIGNATED WITH THE INDUSTRIAL/UTILITY (IU) FUTURE LAND USE TO THE PUBLIC/UTILITY (PU) FUTURE LAND USE; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, Article VIII, § 2, Constitution of the State of Florida, as revised in 1968, grants to municipalities those governmental, corporate and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and further authorizes such municipalities to exercise any power for municipal purposes, except as otherwise provided by law;

WHEREAS, Chapter 166, Fla. Stat., the Municipal Home Rule Powers Act, further affirms the authority and jurisdiction granted to municipalities by the Florida Constitution and establishes the home rule authority of such municipalities; and

WHEREAS, Chapter 163, Fla. Stat., Part II, known as the Community Planning Act (the “Act”), requires, authorizes, and empowers municipalities to prepare, adopt, amend and enforce Comprehensive Plans to guide development within the City and further authorizes the City Council of the City of DeBary to plan for the City’s future development and growth, to responsibly guide the future growth and development of the City, to implement adopted or amended Comprehensive Plans by the adoption of appropriate land development regulations, and to establish, support and maintain procedures to carry out the provisions and purposes of such Act; and

WHEREAS, the City finds it is in the City’s best interest to amend the text of certain Policies set forth in the Future Land Use Element and Future Land Use Map of the City of DeBary Comprehensive Plan, as fully described in Sections 2, 3 and 4 below; and

WHEREAS, the Amendments adopted by this Ordinance are internally consistent with the City of DeBary Comprehensive Plan and its goals, objectives and policies and are in compliance with the Act; and

WHEREAS, the City Council (including in its role as the City’s local planning agency) held the required public hearings for adoption of the proposed Comprehensive Plan Amendments to receive and consider comments related to the Amendments; and

WHEREAS, based on the matters of record received by the City Council at the required public hearings after proper notice and finding that the proposed Amendments meet the requirements of the Act, the City Council, in the exercise of its home rule and statutory authority, has determined it necessary and desirable, in order to protect the public health, safety and welfare, to adopt these Amendments to the City's Comprehensive Plan.

IT IS HEREBY ORDAINED BY THE CITY OF DeBARY AS FOLLOWS:

SECTION 1. RECITALS. The above recitals are true and correct and incorporated herein as legislative findings of the City Council.

SECTION 2. TEXT AMENDMENT ADOPTION. The City of DeBary hereby amends the text of the Future Land Use Element of the City of DeBary Comprehensive Plan amending Policy 5.404 as follows (words that are stricken out are deletions; words that are underlined are additions; provisions not included are not being amended):

Policy 5.404

The following **INDUSTRIAL LAND USE CLASSIFICATIONS** are hereby established:

- a. Industrial/General (IG) - This classification provides for "clean" industrial and employment uses.
 1. Uses include research and development, light manufacturing, and office uses, generally in industrial park setting. In selected areas, this may also include warehousing and distribution and heavier manufacturing, but not activities involving extensive outdoor storage or processing.
 2. Permitted development within this classification will be restricted so as to produce little noise, smoke, odors, or other adverse impacts associated with heavy industry. In addition, these activities will involve minimal truck traffic, and will generally be enclosed in buildings which are well landscaped and buffered from adjoining uses. Many of these activities will occur in parks or other planned developments.
 3. In some cases, developments may include an increased incidence of uses with outdoor activities or involving truck traffic. These uses will be located and designed so as to avoid adverse impacts on the integrity and desirability of the larger development. These developments will be more remote from residential areas or other development which would be adversely impacted by the noise and traffic associated with this type of development. Such developments will be subject to the planned development review process.
 4. Intensity of non-residential use shall be limited to a floor area ratio (FAR) of 0.5 to 1.

5. Schools may be permitted in this classification as provided in Policy 5.405.

~~b. Industrial/Utility (IU) - This classification specifically provides for the major electric power generation and distribution facilities within the City.~~

- ~~1. Uses permitted include power production, as well as accessory activities, including power generating plants, industrial buildings, open space used as buffers, Lake Konomac (which is used for plant cooling), and similar uses and accessory uses, as well as major features of the power distribution system but not transmission lines.~~

~~Transmission lines are intended to be permitted in any land use classification as a public utility use, subject to City Council review. (See Public/Institutional Land Use Classification.)~~

~~Portions of this area, specifically including Lake Konomac and the immediate surrounding area and the low-lying areas west of the Florida Power facility constitute part of the permanent natural open space of the City.~~

- ~~2. The development standards should be designed to reflect the existing character of uses and structures within this classification, including the reservation of the natural open space identified under (1), above.~~
- ~~3. In addition to power production uses, limited development of uses not directly associated with the production and distribution of electric power may be permitted. These uses will be developed with adequate landscaping and buffers from nearby uses. Such uses include office and employment uses, and conference and training centers, including accessory housing, recreation, and meeting facilities.~~
- ~~4. Intensity of non-residential use shall be limited to a floor area ratio (FAR) of 0.5 to 1.~~
- ~~5. Schools may be permitted in this classification as provided in Policy 5.405.~~

b. Industrial/Service (IS) - This classification provides for heavier industrial and commercial activities.

1. Permitted uses include manufacturing, warehouse and distribution, and other industrial activities which occur outdoors to a major extent. Commercial uses include retail sales and services, auto and truck sales, building materials sales, and contractors' yards, and other outdoor sales and service activities.

2. Where these uses occur, they will be grouped with similar uses (as opposed to occurring in isolation among dissimilar uses). Where activities are permitted outdoors, they will be screened from nearby residential and commercial development.
3. Because of the limited areas assigned to this classification, other uses should not be considered. In areas on the periphery of lands in this classification, however, IG type uses can be considered to help ease the transition to non-industrial areas.
4. Intensity of non-residential use shall be limited to a floor-area ratio (FAR) of 0.5 to 1.
5. Schools may be permitted in this classification as provided in Policy 5.405.

SECTION 3. TEXT AMENDMENT ADOPTION. The City of DeBary hereby amends the text of the Future Land Use Element of the City of DeBary Comprehensive Plan amending Policy 5.405 as follows (words that are stricken out are deletions; words that are underlined are additions; provisions not included are not being amended):

Policy 5.405

~~The **PUBLIC/INSTITUTIONAL LAND USE CLASSIFICATION** is hereby established:~~

The following **PUBLIC LAND USE CLASSIFICATIONS** are hereby established:

- a. Public/Institutional (PI) - This classification provides for uses which are owned and/or operated by government agencies or non-profit institutions, and which do not lend themselves easily to the other classifications. Such uses may also be permitted within most of the other classifications. It is the intent of the City that elementary and high schools (public or private, and including charter schools) may be permitted in any classification subject to approval of the City Council, and that private or trade schools may be permitted in any commercial or industrial classification subject to City Council approval. Public schools other than elementary and high schools should be restricted to this classification. This classification is designed to be used primarily where a public or institutional use is large enough to be separately identified on the Future Land Use Map.
 1. The City will seek every opportunity to co-locate public facilities such as parks, community centers and libraries with educational facilities in coordination with the Volusia County School Board.

2. Other public, institutional, and utility uses and facilities may be permitted in any land use classification, subject to approval of the City Council. This includes uses which are too small to be individually identified on the Future Land Use Map or the location of which must be established as part of the development review process. These uses include, but are not limited to, sewage lift stations, recycling facilities, power transmission facilities (including transformer stations), and broadcasting facilities, (including towers used for cellular telephone and other PCS services.) Authorization for one type of use shall not allow another use, which will require a separate authorization.

b. Public/Utility (PU) - This classification specifically provides for the major electric power generation and distribution facilities within the City.

1. Uses permitted include power production, as well as accessory activities, including power generating plants, industrial buildings, open space used as buffers, Lake Konomac (which is used for plant cooling), and similar uses and accessory uses, as well as major features of the power distribution system but not transmission lines.

Transmission lines are intended to be permitted in any land use classification as a public utility use, subject to City Council review. (See Public/Institutional Land Use Classification.)

Portions of this area, specifically including Lake Konomac and the immediate surrounding area and the low-lying areas west of the Florida Power facility constitute part of the permanent natural open space of the City.

2. The development standards should be designed to reflect the existing character of uses and structures within this classification, including the reservation of the natural open space identified under (1), above.

3. In addition to power production uses, limited development of uses not directly associated with the production and distribution of electric power may be permitted. These uses will be developed with adequate landscaping and buffers from nearby uses. Such uses include office and employment uses, and conference and training centers, including accessory housing, recreation, and meeting facilities.

4. Intensity of non-residential use shall be limited to a floor-area ratio (FAR) of 0.5. to 1.

5. Schools may be permitted in this classification as provided in Policy 5.405.

SECTION 4. FUTURE LAND USE MAP AMENDMENT. The City of DeBary hereby amends the Future Land Use Map of the City of DeBary Comprehensive Plan by designating the properties graphically depicted in Attachment “A” from INDUSTRIAL/UTILITY (IU) future land use to the PUBLIC/UTILITY (PU) future land use.

SECTION 5. EFFECTIVE DATE. The effective date of this Plan amendment, if the amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies the City that the Plan amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

SECTION 6 CONFLICTS. This Ordinance shall supersede any ordinances in conflict herewith to the extent that such conflict exists.

SECTION 7. SEVERABILITY. If any part of this Ordinance is found to be invalid, preempted, or otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent permitted by the severance of such invalid, preempted, or superseded part.

APPROVED on first reading on ____ day of _____ 2023.

ADOPTED at the second reading on ____ day of _____ 2023.

CITY COUNCIL
City of DeBary

Karen Chasez, Mayor

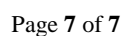
Attest:

Annette Hatch, CMC, City Clerk

Date: _____

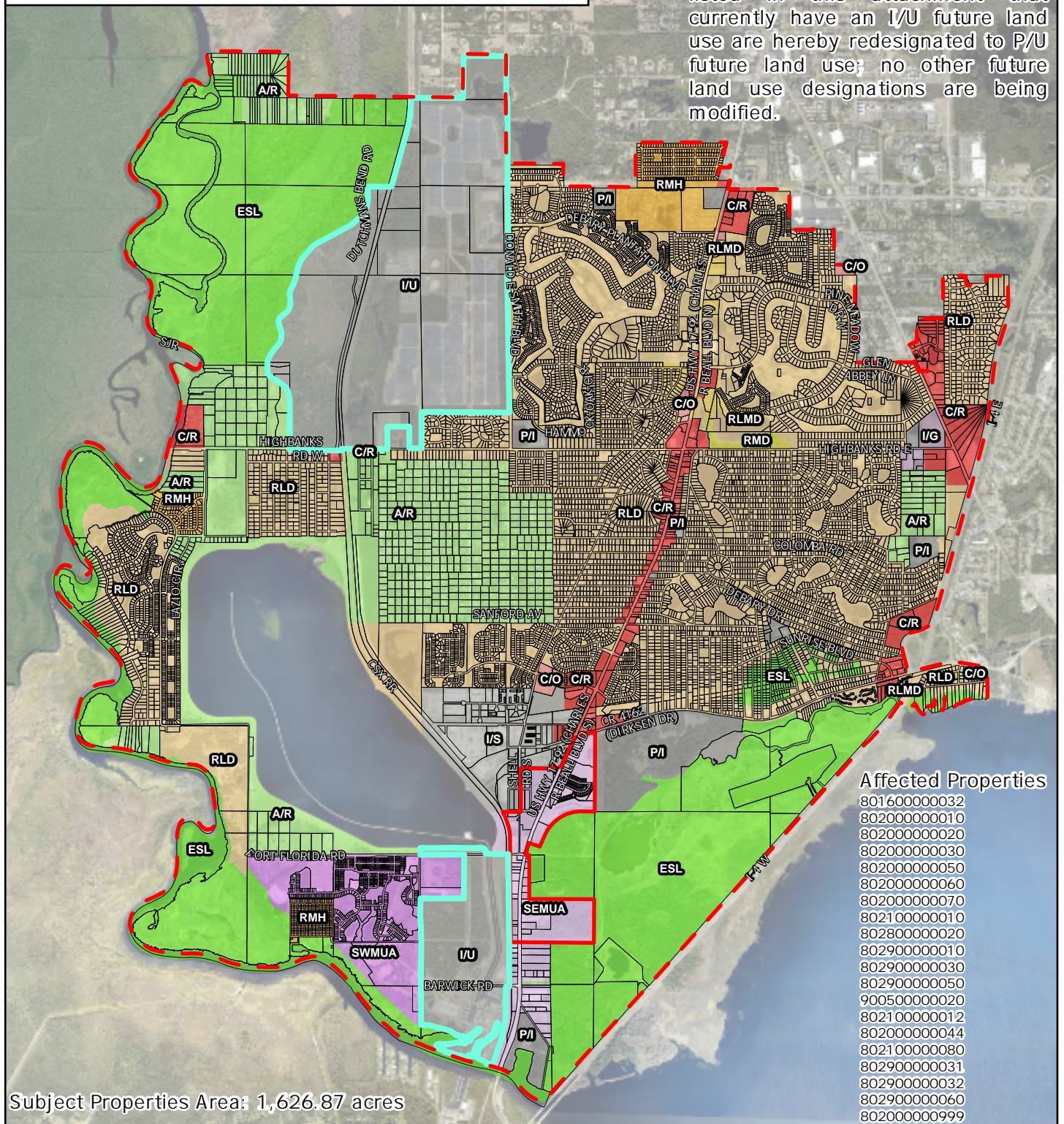
SEAL:

FUTURE LAND USE MAP



Current Future Land Use

All portions of the properties whose tax parcel identification number are listed in this attachment that currently have an I/U future land use are hereby redesignated to P/U future land use; no other future land use designations are being modified.



Affected Properties

801600000032
802000000010
802000000020
802000000030
802000000050
802000000060
802000000070
802100000010
802800000020
802900000010
802900000030
802900000050
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802900000032
802900000060
802000000999

Legend

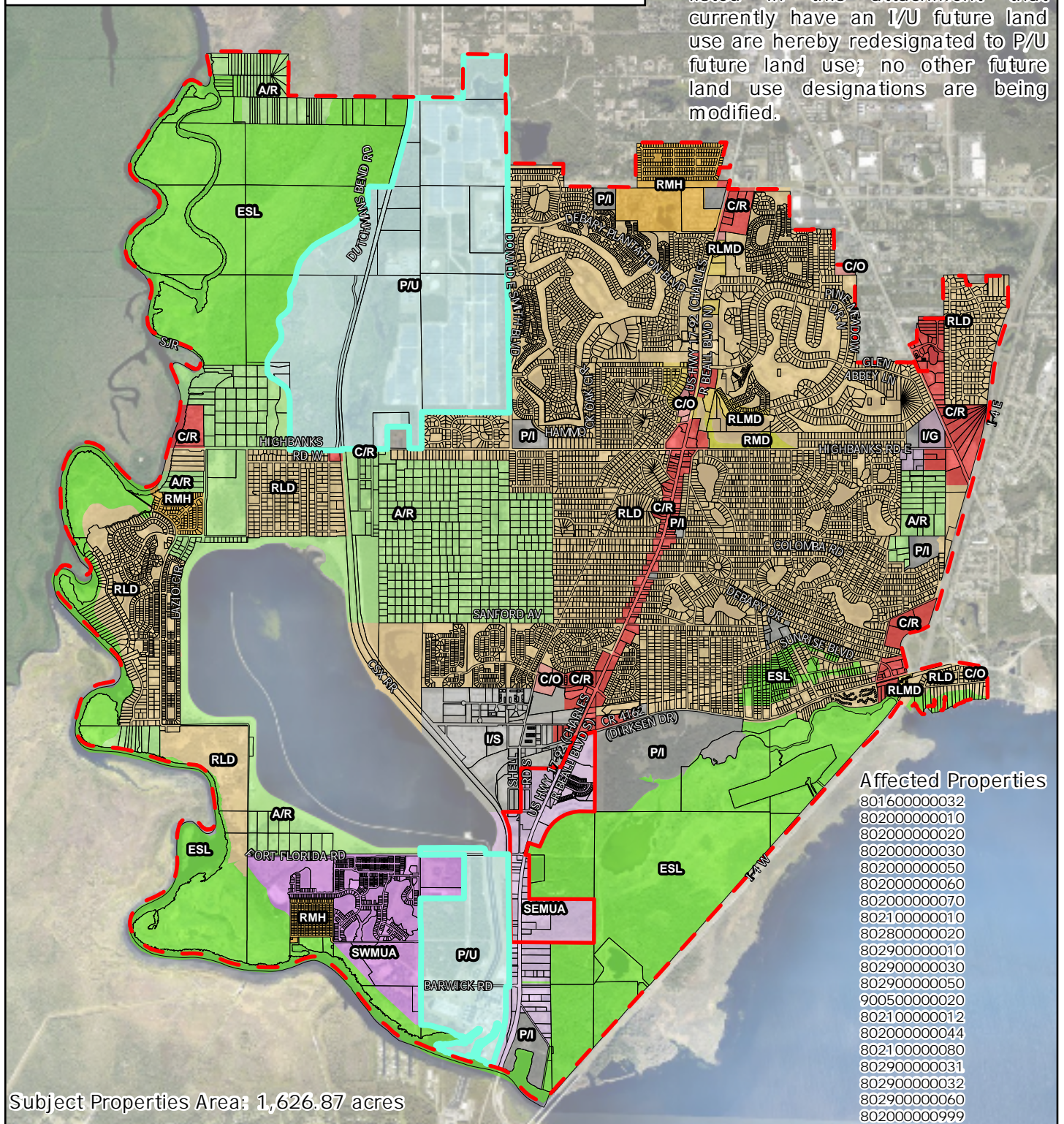
- ESL, Environmentally Sensitive Lands
- A/R, Agriculture/Rural Residential
- R/LD, Residential/Low Density
- R/LMD, Residential/Low-Medium Density
- R/MD, Residential/Medium Density
- R/MH, Residential/Mobile Home
- C/O, Commercial/Office
- C/R, Commercial/Retail
- I/G, Industrial/General
- I/S, Industrial/Service
- P/I, Public/Institutional
- SEMUA, Southeast Mixed Use Area
- SWMUA, Southwest Mixed Use Area
- Subject Properties
- TOD
- City Limits

0 2,000 4,000 8,000 Feet



Proposed Future Land Use

All portions of the properties whose tax parcel identification number are listed in this attachment that currently have an I/U future land use are hereby redesignated to P/U future land use; no other future land use designations are being modified.



Legend

- ESL, Environmentally Sensitive Lands
- A/R, Agriculture/Rural Residential
- R/LD, Residential/Low Density
- R/LMD, Residential/Low-Medium Density
- R/MD, Residential/Medium Density
- R/MH, Residential/Mobile Home
- C/O, Commercial/Office
- C/R, Commercial/Retail
- I/G, Industrial/General
- I/S, Industrial/Service
- P/I, Public/Institutional
- P/U, Public/Utility
- SEMUA, Southeast Mixed Use Area
- SWMUA, Southwest Mixed Use Area
- Subject Properties
- TOD
- City Limits

0 2,000 4,000 8,000 Feet





City Council Meeting City of DeBary AGENDA ITEM

Subject: Ordinance # 13-2023	Attachments: <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Supporting Documents/ Contracts <input type="checkbox"/> Other
From: Steve E. Bapp, AICP Growth Management Director	
Meeting Hearing Date January 3, 2024	

REQUEST

Staff is requesting the City Council approve the second reading of Ordinance # 13-2023, amending the Land Development Code (LDC) to update the Zoning/Future Land Use Compatibility Matrix in accordance with Ordinance # 12-2023.

PURPOSE

To update the Zoning/Future Land Use Compatibility Matrix to make it consistent with the amendment to the Comprehensive Plan proposed in Ordinance # 12-2023.

CONSIDERATIONS

Background:

LDC Chapter 3, Article I, Section 3-2a. – Zoning/Future Land Use Compatibility Matrix contains a table which defines what zoning classifications are consistent with each of the Comprehensive Plan’s individual Future Land Use Map (FLUM) classifications. This table is critical to determining whether a proposed Zoning Map amendment is consistent with the Comprehensive Plan’s FLUM, and is also used to determine whether a property’s existing zoning is consistent with the FLUM during reviews for development order applications.

Another proposed ordinance, Ordinance # 12-2023, would amend the Comprehensive Plan to remove the Industrial/Utility classification and reclassify all properties under that classification as “Public/Utility”. Please see the staff report for Ordinance # 12-2023 for more information.

On November 1, 2023, the City Council approved the first reading of the proposed amendment.

Proposed Amendment:

If Ordinance # 12-2023 is adopted and implemented, the Zoning/Future Land Use Compatibility Matrix would need to be updated to reflect the amendment to the Comprehensive Plan. Ordinance # 13-2023 amends the matrix accordingly.

COST/FUNDING

None.

RECOMMENDATION

It is recommended the City Council: Upon second reading, approve Ordinance # 13-2023, the proposed amendment to LDC Section 3-2a to update the Zoning/Future Land Use Compatibility Matrix in accordance with Ordinance # 12-2023.

IMPLEMENTATION

The proposed ordinance would only be implemented if Ordinance # 12-2023 is also implemented. Ordinance # 12-2023 is a large-scale Comprehensive Plan amendment and must follow the expedited State review process prescribed in F.S. 163.3184(3) in order to be implemented. If the Council performs the second reading of both ordinances, and Ordinance # 12-2023 is not challenged during the 30-day appeal period for large-scale Comprehensive Plan amendments, the LDC will be updated to reflect this ordinance.

ATTACHMENTS

- Ordinance # 13-2023

ORDINANCE NO. 13-2023

AN ORDINANCE OF THE CITY COUNCIL OF DEBARY, FLORIDA, AMENDING CHAPTER 3, ARTICLE I, SECTION 3-2a. OF THE CITY OF DEBARY LAND DEVELOPMENT CODE TO AMEND THE ZONING/FUTURE LAND USE COMPATIBILITY MATRIX; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CODIFICATION.

WHEREAS, the City of DeBary, Florida adopted a Land Development Code as required by Chapter 163, Florida Statutes through Ordinance No. 01-99 and Ordinance No. 21-07, as amended; and

WHEREAS, the City Council is the governing body of the City of DeBary and serves as the City's local planning agency; and

WHEREAS, the City Council has determined that this amendment to the land development code is consistent with the City of DeBary Comprehensive Plan as is being simultaneously amended along with this Ordinance; and

WHEREAS, the City Council has determined that this Ordinance is in the best interest of and for general health, safety and welfare of the citizens of DeBary, Florida; and

WHEREAS, this Ordinance has been adopted in accordance with general law and the Charter and Land Development Code of the City of DeBary.

IT IS HEREBY ORDAINED BY THE CITY OF DEBARY AS FOLLOWS:

SECTION 1. RECITALS. The above recitals are true and correct and incorporated herein as legislative findings of the City Council.

SECTION 2. ADOPTION. Section 3-2a of Article I, Chapter 3 of the City of DeBary Land Development Code is hereby amended as follows (words that are stricken out are deletions; words that are underlined are additions; provisions not included are not being amended):

Section 3-2a. – Zoning/future land use compatibility matrix.

The following matrix illustrates which city zoning classifications are consistent with which city future land use classifications.

Section 3-2a Zoning/Future Land Use Compatibility Matrix			
Land Use Classifications	Future Land Use	Net Density (Dwelling units per net buildable acre) and Floor Area Ratios (FAR)	Allowing Zoning Classifications
Industrial Classifications	Industrial/General (IG)	Max FAR 1	I-1 (Light Industrial, Planned Unit Development)
	Industrial/Utility (IU)	Max FAR 1	I-1 (Light Industrial), Planned Unit Development
	Industrial Service (IS)	Max FAR 1	I-1 (Light Industrial), Planned Unit Development, B-5 (Heavy Commercial)
Public/Institutional <u>Classifications</u>	Public/Institutional (P/I)		P (Public Use)
	<u>Public/Utility (P/U)</u>	<u>Max FAR 1</u>	<u>I-1 (Light Industrial), P (Public Use), Planned Unit Development</u>

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. CONFLICTS. This Ordinance shall control over any Ordinances or parts of Ordinances in conflict herewith to the extent that such conflict exists.

SECTION 5. CODIFICATION. Section 2 of this Ordinance is to be codified and made a part of the City of DeBary Land Development Code. The City Clerk is given liberal authority to correct typographical errors and to renumber the sections and subsections as may be necessary to codify the ordinance into the existing codes. Grammatical, typographical and similar like errors may be corrected, including additions, alterations, and omissions that do not otherwise affect the construction, intent, or meaning of this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect simultaneously with the effective date of the Comprehensive Plan Amendment adopted by City of DeBary Ordinance 12-2023.

APPROVED on first reading on ____ day of _____ 2023.

ADOPTED at the second reading on ____ day of _____ 2023.

CITY COUNCIL
City of DeBary

Karen Chasez, Mayor

Attest:

Annette Hatch, CMC, City Clerk

Date: _____

SEAL:



City Council Meeting City of DeBary AGENDA ITEM

Subject: Ordinance 14-2023 – City Charter Amendment	Attachments: (x) Ordinance () Resolution () Supporting Documents/ Contracts () Other
From: Carmen Rosamonda, City Manager	
Meeting Hearing Date January 3, 2024	

REQUEST

City Manager is requesting City Council adopt on second reading Ordinance 14-2023, Submitting to Referendum an Amendment to the City Charter to Allow Council Members to Run for the Position of Mayor without the need for a One Year Hiatus.

PURPOSE

The purpose of the Ordinance is to place this requested amendment on the November 2024 ballot.

CONSIDERATIONS

- In November 2020, the City placed a number of amendments on the ballot and the voters decided and approved six of the seven recommendations. The only Charter amendment that failed was to extend the City's ability to borrow money from 7 to 10 years.
- During the Charter Review Committee meetings, the Committee recommended that the issue regarding the one year hiatus for Council Members with the same term timeframe as the Mayor be revised from Section 5.03 of the Charter.
- The Committee believed this requirement benefited Members in Seat #1 and #2 more than Members in Seat #3 and #4 due to the term timeframe. Seats #1 and #2 could easily achieve the one-year hiatus because their term timeframe was different than the Mayor. However, since Seats #3 and #4 were on the same term timeframe as the Mayor, they would have to serve a four-year hiatus before being eligible to run for Mayor.
- During City Council workshops, this recommended change was removed. The reasoning for the removal is unclear. You can see the deletion (blue) on page 20 of the Charter Review Commission document. Also attached to this agenda item is the DeBary City Charter Fact Sheet and Amendment #7 (page 8) was approved with the Ordinance.
- Allowing Council Members in Seats #1-4 to run for Mayor without the one-year hiatus has been in effect before in DeBary. During the first Charter established in 1993, any Council Member could run for Mayor without serving a one-year hiatus. This is evidence by Carmen Rosamonda who

served two terms as Council Member and was elected as Mayor the next election. He served two terms as Mayor or a total of twelve (12) consecutive years.

- It is good practice to provide the voters the most election options possible to ensure a better government to represent them.

COST/FUNDING

The City will have an election in November 2024 whereby Seats #1 and #2 terms are ending. There will be a cost to the City for this election. The cost of having a Charter Amendment on the same ballot will be insignificant.

RECOMMENDATION

It is recommended that the City Council adopt on second reading Ordinance 14-2023, Submitting to Referendum an Amendment to the City Charter to Allow Council Members to Run for the Position of Mayor without the need for a One Year Hiatus.

IMPLEMENTATION

If approved, the City Clerk will coordinate with the Supervisor of Elections to get on November 2024 ballot.

ATTACHMENTS

Ordinance 14-2023

ORDINANCE NO. 14-2023

AN ORDINANCE OF THE CITY OF DEBARY, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CITY CHARTER TO ALLOW COUNCIL MEMBERS TO RUN FOR THE POSITION OF MAYOR WITHOUT THE NEED FOR A ONE-YEAR HIATUS; PROVIDING FOR ADVERTISEMENT OF THE REFERENDUM, SUBMISSION OF THE QUESTION AND CHARTER AMENDMENT CONTAINED HEREIN TO THE QUALIFIED ELECTORS OF THE CITY OF DEBARY AT A GENERAL ELECTION WHERE SUCH AMENDMENT WILL BE INCORPORATED INTO THE CITY CHARTER IF APPROVED; PROVIDING FOR CODIFICATION OF ADOPTED CHARTER AMENDMENTS, SEVERABILITY, AND AN EFFECTIVE DATE OF THIS ORDINANCE AND CHARTER AMENDMENT, IF APPROVED.

WHEREAS, the City Council has been reviewing the term limit provisions in § 5.03 of the City of DeBary Charter;

WHEREAS, the City Charter establishes five (5) city council seats, designated as Council seat #1, Council seat #2, Council seat #3, Council seat #4, and Council seat #5 (the office of the Mayor);

WHEREAS, the City Council has noted that a council member whose term of office co-terminates with the term of office for the mayor is precluded from qualifying for the office of the mayor ~~during the council member's second term of office~~, because § 5.03 of the City Charter would require such a candidate to remain off the City Council for a period of one-year following his/her second term;

WHEREAS, a City Council member whose term of office on the council does not co-terminate with the term of office for the mayor is not subject to the consequences of the one-year hiatus rule to run for Mayor upon conclusion of that member's second term, because his/her last term of office would conclude one year before the Mayor's next term would commence;

WHEREAS, given the foregoing, a council member whose term of office does not co-terminate with the term of office for the mayor may qualify and run for the office of Mayor at his/her earliest convenience ~~following his/her second consecutive term of office~~ while a council member whose term of office co-terminates with the office of the mayor must wait another year before he/she is eligible to qualify and run for mayor;

WHEREAS, given the fact that the mayor is elected to a four (4) year term of office, the foregoing one-year hiatus rule means that a council member whose last consecutive term of office terminated at the same time as the term of office for the Mayor must actually wait four (4) years before he/she can be elected and serve as Mayor;

WHEREAS, after due consideration of the foregoing, the City Council has directed that this Ordinance be prepared and that the ballot question included herein be submitted for the consideration of the qualified electors of the City of DeBary, Florida, at the general election to be held on Tuesday, November 5, 2024;

WHEREAS, § 166.031, Florida Statutes, provides for the adoption of an ordinance submitting amendments to the City of DeBary Charter to the electors of the City for approval; and

WHEREAS, the City Council will have held two public hearings on this Ordinance prior to its adoption.

IT IS HEREBY ORDAINED BY THE CITY OF DEBARY AS FOLLOWS:

SECTION 1. **Recitals.** The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. **Amendment #1.** Section 5.03 of the Charter of the City of DeBary is hereby amended upon approval of the qualified electors of the City of DeBary to read as follows (~~stricken through~~ language are deletions; underlined language are additions; subsections not included are not being amended):

Sec. 5.03. - Terms of office.

- (a) The term of office for all Council seats is four (4) years for members elected in 2014 and thereafter. No member of the Council shall serve (or, but for resignation would have served) for more than two (2) consecutive full terms of office. A candidate who has been elected to two (2) consecutive full terms of office may requalify for any vacant seat provided said candidate does not actually take office for at least a one-year period after the end of that candidate's previous two (2) full terms of office, except as set forth in subsection (b). Members of the City Council elected shall hold their seats for the term of office for which they were respectively elected until such time as they are reelected, their successors have been elected and take office, or such office is otherwise prematurely vacated. An individual appointed to fill a vacant office shall be bound to the term of office served by such individual's predecessor.

- (b) A candidate who is serving in a council seat, excepting seat #5 (the office of Mayor), and whose second consecutive term of office is scheduled to conclude at the same time as the term of office for seat #5, may qualify for seat #5 without complying with the requirement in subsection (a) that he/she remain off the city council for at least a one-year period following his/her second consecutive full term of office. Any such candidate, if elected to seat #5, will be eligible to serve two (2) consecutive full terms of office as Mayor.

SECTION 3. **Amendment #1 Ballot Question.** The ballot title and summary of the amendment referenced in Section 2 herein, followed by the words “yes” and “no” shall be set forth as follows on the ballot at the general election on November 5, 2024, for consideration by the qualified electors of the City of DeBary, Florida:

TITLE

TERM LIMIT EXCEPTION FOR COUNCIL MEMBERS RUNNING FOR THE
OFFICE OF MAYOR

SUMMARY

Should the term limit requirements of Section 5.03 of the DeBary City Charter be amended to allow a city council member whose second consecutive term of office would conclude at the same time as the Mayor’s term of office to qualify and run for the office of Mayor without remaining off the city council for at least one year?

YES ☐

NO ☐

SECTION 4. **Referendum.** The City Council hereby authorizes a referendum election to be held on November 5, 2024, in conjunction with the general election held pursuant to § 100.031, Fla. Stat. and other applicable laws, at which the foregoing charter amendment and its accompanying ballot question contained herein will be submitted to the electorate of the City of DeBary, with the polls of such referendum closing on such date.

SECTION 5. **Advertisement.** The City Clerk of the City of DeBary is hereby authorized and directed to advertise the referendum election authorized herein in accordance with

the applicable provisions of the City Charter, City Code, Florida Statutes, Florida Administrative Code, and federal law.

SECTION 6. **Codification.** It is the intention of the City Council of the City of DeBary that the Charter Amendment proposed by this Ordinance will become and be made a part of the Charter of the City of DeBary, Florida if adopted by the qualified electors of the City of DeBary. Articles, sections, and subsections of the Charter may be renumbered or relettered for editorial and codification purposes and such renumbering and relettering will not constitute, nor be considered substantive changes, to the charter amendment as adopted. The City Clerk is hereby directed to ensure that appropriate numbers or letters are affixed to the Articles and Sections of the Charter if the Amendments contained herein, or any one or more of them, are approved at referendum.

SECTION 7. **Severability.** If any clause, section, or other part of this Ordinance is held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part will be considered eliminated and have no effect the validity of the other provisions of this Ordinance.

SECTION 8. **Effective Date of Ordinance.** This Ordinance will take effect immediately upon its adoption.

SECTION 9. **Effective Date of Proposed Charter Amendment.** The proposed Charter Amendment set forth herein will take effect if and upon certification of an affirmative majority vote of the qualified electors of the City of DeBary in favor of such at the November 5, 2024 general election.

FIRST READING AND PUBLIC HEARING: _____, 2024.

SECOND READING AND PUBLIC HEARING: _____, 2024.

APPROVED:

CITY OF DEBARY CITY COUNCIL

Karen Chasez, Mayor

ATTEST:

Annette Hatch, City Clerk

s:\aka\clients\debary,city of\general d334-16191\charter amendment 2023\revised charter ordinance 11-9-2023.doc



City Council Meeting City of DeBary AGENDA ITEM

Subject: Ordinance # 03-2024	Attachments: (X) Ordinance () Resolution () Supporting Documents/ Contracts () Other
From: Steve E. Bapp, AICP Growth Management Director	
Meeting Hearing Date January 3, 2024	

REQUEST

Staff is requesting the City Council approve the first reading of Ordinance # 03-2024, amending the Riverside Business Planned Unit Development (BPUD) to add certain permitted uses to the development agreement (DA) and minimum parking requirements therein.

PURPOSE

To permit certain new uses within the Riverside BPUD.

CONSIDERATIONS

The BPUD is located at 901 and 909 South Charles Richard Beall Boulevard. Two sections of the DA are being amended.

Land Uses Within the BPUD

Section D of the DA would be amended to add the following uses as being permitted within the BPUD:

- Car washes and auto detailing as an accessory use to automobile body shops;
- Beer and wine sales for on-premises consumption as an accessory use to retail sales and services; and
- Restaurants, Type A, including beer and wine sales for on-premises consumption as an accessory use.

All soaps and detergents utilized for vehicle cleaning shall be biodegradable.

Beer and wine sales for on-premises consumption means the retail sale of beer and wine for consumption on-premises in a manner incidental to a permitted use. Hours of operation for alcohol sales and consumption shall be limited to the same hours as the principal use, and the principal use shall remain open and provide full service to patrons at all times beer and wine sales and on premises consumption occurs. For a restaurant, the commercial kitchen must be open, staffed with a chef(s), cook(s) or other food preparation workers(s), and serve a full course meal at all times when the restaurant is open to patrons. Full course meals shall include a salad or vegetable, entrée, beverage, and bread. For a retail sales or services, the full range of retail sales or services provided by the principal use must be offered and

provided to the patrons at all times when the business is open to patrons. The total beer and wine sales revenue shall be no more than 49% of the total revenue of the business each year. Such is subject to audit and verification by the City upon request of the business's annual Point of Sale (POS) receipts.

Development Standards

Section F.10 of the DA would be amended to add minimum parking requirements for Type A restaurants. 1 parking space would be required per every 4 seats or 1 for each 200 square feet of gross floor area for take-outs, plus 1 space for each employee on the largest shift.

COST/FUNDING

None.

RECOMMENDATION

It is recommended the City Council: Upon first reading, approve Ordinance # 03-2024, the proposed major BPUD amendment to amend the DA to permit the proposed uses and new minimum parking requirements.

IMPLEMENTATION

If the Council performs the first reading of the ordinance, Staff will advertise the public hearing for the second reading in the *Orlando Sentinel*. In addition, the applicant will once again notice all adjoining property owners within 1,000 feet of the subject property's boundaries and post a sign on the property noticing the public hearing.

ATTACHMENTS

- Ordinance # 03-2024

ORDINANCE NO. 03-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEBARY, FLORIDA; ADOPTING AN AMENDMENT TO THE RIVERSIDE BPUD, AS ADOPTED BY ORDINANCE NO. 21-05, AS AMENDED BY ORDINANCE NO. 06-16 TO HEREBY INCLUDE ADDITIONAL PERMITTED USES ON THE PROPERTY; PROVIDING FOR A DEVELOPMENT AGREEMENT; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

THIS SECOND AMENDMENT to BPUD Development Agreement (“Second Amendment”) is made and entered into by and between the City of DeBary, a Florida municipal corporation (herein “City”) and FILAM 4 United, LLC, a Florida limited liability company (herein “Applicant”).

WHEREAS, the City and Riverside Partners, LLC, a Florida limited liability company, previously entered into that certain BPUD Development Agreement with an effective date of February 1, 2006, recorded at Official Records Book 5768, Pages 2197-2214, of the Public Records of Volusia County, Florida and approved by City of DeBary – Ordinance No. 21-05 (herein “Development Agreement”); and

WHEREAS, the City and Boulder Properties, LLC, a Florida limited liability company, amended by that certain amendment with an effective date of June 1, 2016, recorded at Official Records Book 7264, Pages 1142-1146, of the Public Records of Volusia County, Florida and approved by City of DeBary – Ordinance No. 06-16 (herein “First Amendment”); and

WHEREAS, the City and Applicant desire to amend Section D of the Development Agreement, as amended by the First Amendment.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree to amend the Development Agreement, as amended by the First Amendment, as follows:

1. Amendment. Section D of the Development Agreement is hereby amended to read as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

D. Land Uses Within the BPUD. The development of the parcel shall be consistent with the uses prescribed for each area within the proposed BPUD. The location and size of said land use areas are shown on the Master Plan, Exhibit “B”. The following land uses shall be allowed as permitted principal uses and structures along with their customary accessory uses and structures. All permitted and principal uses and structures defined below including:

- 1) Art, Dance, Modeling and Music Schools
- 2) Auction Parlors
- 3) Automobile Body Shop, including Car Wash and Auto Detailing as an accessory use**

- 4) Automobile Driving Schools
- 5) Automobile Rental Agencies
- 6) Beauty and Barber Shops
- 7) Building Material Sales and Storage
- 8) Catering Services
- 9) Contractor's Shop, Storage
- 10) Employment Agencies
- 11) Essential Utility Services
- 12) General Offices
- 13) Laundry and Dry Cleaning Establishments
- 14) Medical Offices, Clinics, and Laboratories
- 15) Pest Exterminators
- 16) Printing and Engraving, including photostating and publishing
- 17) Retail Sales and Services, including beer and wine sales for on-premises consumption as an accessory use*
- 18) Retail Specialty Shops
- 19) Rug Cleaning Establishments
- 20) Tailors
- 21) Travel Agencies
- 22) Welding and Soldering Shops
- 23) Interior Entertainment and Recreational Uses and Structures
- 24) Exempt excavations Article 3 (refer to section 817.00(o)) and/or those that comply with Article IV of the Land Development Code and/or final site plan review procedures of the Land Development Code.
- 25) Moving and Storage companies (office and storage only, no outside storage or overnight truck parking is permitted)
- 26) Professional or Trade Schools related to Permitted Uses
- 27) Public Uses
- 28) Public Utility Uses and Structures
- 29) Warehouses
- 30) Automobile, truck, truck-trailer, motorcycle, boat, mobile home, manufactured dwelling, recreational vehicle and bicycle manufacturers. (All outside storage/display shall be prohibited).
- 31) Machinery and machine shops. (All outside storage/display shall be prohibited).
- 33) Restaurant, Type A, including beer and wine sales for on-premises consumption as an accessory use*

* Beer and wine sales for on-premises consumption means the retail sale of beer and wine for consumption on-premises in a manner incidental to a permitted use. Hours of operation for alcohol sales and consumption shall be limited to the same hours as the principal use, and the principal use shall remain open and provide full service to patrons at all times beer and wine sales and on premises consumption occurs. For a restaurant, the commercial kitchen must be open, staffed with a chef(s), cook(s) or other food preparation workers(s), and serve a full course meal at all times when the restaurant is open to patrons. Full course meals shall include a salad or vegetable, entrée, beverage, and bread. For a retail sales or services, the full range of retail sales or services provided by the principal use must be offered and provided to the patrons at all times when the business is open to patrons. The total beer and wine sales revenue shall be no more

than 49% of the total revenue of the business each year. Such is subject to audit and verification by the City upon request of the business's annual Point of Sale (POS) receipts.

** All soaps and detergents utilized for vehicle cleaning shall be biodegradable.

2. Amendment. Section F of the Development Agreement is hereby amended to read as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

F. Development Standards.

10. Off-street parking requirements shall be based on the following calculations:
Retail: 1 space/225 SF gross floor area
Office: 1 space/300 SF gross floor area
Warehouse: 1 space/1,500 SF gross floor area plus one space per each employee
Light Industrial: 1 space/500 SF of employee work area, plus open space for each 1,000 SF of floor area devoted exclusively to storage and/or housing of accessory mechanical equipment. (In accordance to the City of DeBary Land Development Code, Section 3-129. Off Street Parking and Loading.)
Restaurant, Type A: 1 per 4 seats or 1 for each 200 SF of gross floor area for take-outs, plus 1 space for each employee on the largest shift.

3. Full Force & Effect; Binding. The Development Agreement shall remain in full force and effect as expressly modified by this Second Amendment. This Second Amendment shall run with the land and be binding upon, and inure to the benefit of, the parties hereto, their respective heirs, successors, assigns and anyone claiming by, through or under any of them.

4. Effective Date. The effective date of this Amendment shall be the date approved by the DeBary City Council.

AGREED to by the City Council of the City of DeBary, Florida and the Applicant on this ____ day of _____, 2023.

CITY OF DEBARY CITY COUNCIL

Karen Chasez, Mayor

ATTEST:

Annette Hatch, CMC

Witnesses:

FILAM 4 United, LLC

Signature

Print

By: _____

Its: _____

Signature

Print

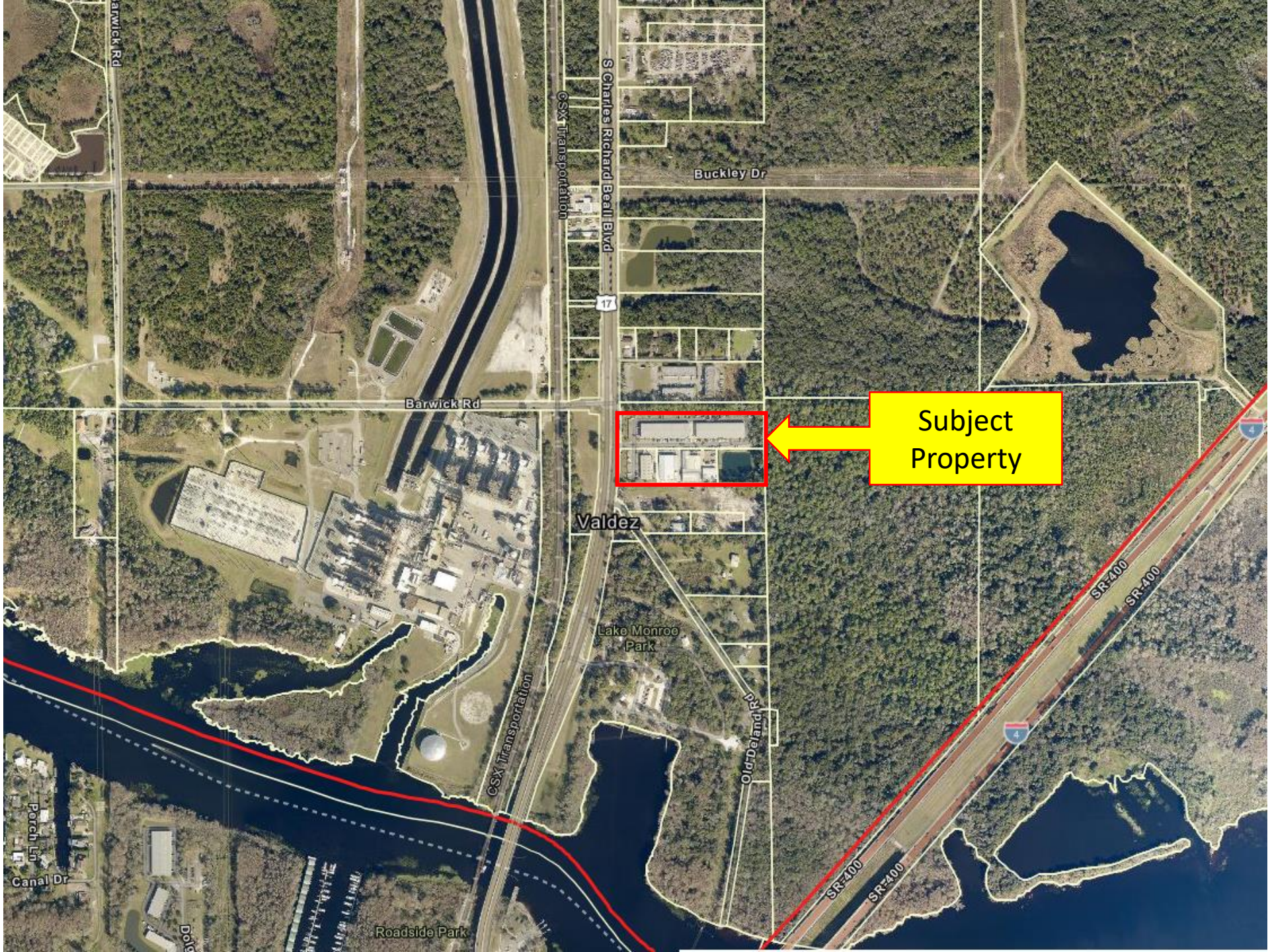
STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by physical presence this ____ day
_____, 2023 by _____, as _____ of FILAM 4 United,
LLC. He/she is personally known to me or has produced _____ as identification.

(Affix Seal)

Print Name: _____

My Commission Expires: _____



Subject
Property

Valdez

Lake Monroe
Park

Roadside Park

S Charles Richard Beall Blvd

Buckley Dr

Barwick Rd

Canal Dr

Porch Ln

Doris

CSX Transportation

Old Deland Rd

SR-400

SR-400

SR-400

SR-400



City Council Meeting City of DeBary AGENDA ITEM

Subject: Plantation Pump Station Air Relief Valves – ARV Rehabs	Attachments: () Ordinance
From: Amy Long, Deputy Public Works Director	() Resolution
Meeting Hearing Date January 3, 2024	() Supporting Documents/ Contracts
	() Other

REQUEST

Staff is requesting the City Council approval of Danus Utilities Proposal for the inspecting, cleaning and/or repairing of the Air Relief Values with the Western Emergency Pumping System.

PURPOSE

The purpose of this request, during hurricane offseason, is to improve and optimize the Western Emergency Pumping System.

CONSIDERATIONS

- The City has been experiencing mechanical issues with the pumps located at the DeBary Plantation Pump Station. We have rebuilt our pumps, which were purchased in 2008, however, we are still experiencing pressure issues in the system.
- Before we purchase new pumps at this station, we need to inspect, repair and/or replace the Air Relief Values (ARV) along the 4 mile system. Early indications revealed that some values are not working properly and some may have been damaged with the construction of the Spring to Spring trail.
- We have consulted with various experts to assist with troubleshooting the problems in the system. They indicated if these ARVs are not functioning properly, it may be the cause of the vibration in the pumps and the system operating at less than 50% of its capability. We have received complaints from nearby residents regarding pump vibration at the DeBary Plantation Pump Station.
- The purpose of the ARVs is to release air pockets that collect in a pressured pipeline. It will assist against unwanted surges, prevent pump resistance and maintain system performance. Once these values are performing as designed, we will again reevaluate the performance of our rebuilt pumps.
- Due to the age of these pumps and our reevaluation once the ARVs are fixed, it still may be prudent to purchase new pumps which will cost approximately \$140,000 for both pumps.

- Danus Utilities comes highly recommended by the experts. They have worked with numerous local municipalities, such as Sanford, Deltona, West Melbourne, Mount Dora, Ormond Beach, Port Orange, Winter Haven and more.
- Danus, to create this proposal, came onsite to assist in locating and evaluating the ARVs. This proposal is to inspect, clean and provide minor repairs. Major repairs or replacement of these values will be an additional cost.

COST/FUNDING

The Danus Utilities Proposal (122223-1C) totals \$22,190.00. Major repairs or replacement of these values will be an additional cost. These costs will be allocated towards the Stormwater Fund Reserves.

RECOMMENDATION

It is recommended City Council approve the Danus Utilities Proposal for the inspecting, cleaning and/or repairing of the Air Relief Values within the Western Emergency Pumping System, authorize Danus Utilities as a sole source vendor under the City's purchasing policy and authorize the City Manager the spending authority to repair and/or replace all values as deemed necessary to ensure proper performance.

IMPLEMENTATION

Upon approval, the Public Works Department will schedule the inspections, repairs and replacements with Danus Utilities for the Planation ARV's.

ATTACHMENTS

Attachment A – Proposal

Attachment B – DeBary's Emergency Pumping System Map



PROPOSAL

Remit To:

Danus Utilities, Inc.
P.O. Box 291671
Port Orange, FL 32129

Phone: 352-989-0100
danusutilities.com
richard@danusutilities.com
Fax: 407-878-1254

PROPOSAL NO: 122223-1C

PROPOSAL DATE: December 22, 2023

CUSTOMER: City Of Debary
ADDRESS:

PHONE:
CONTACT: Chad Qualls
EMAIL: cqualls@debary.org

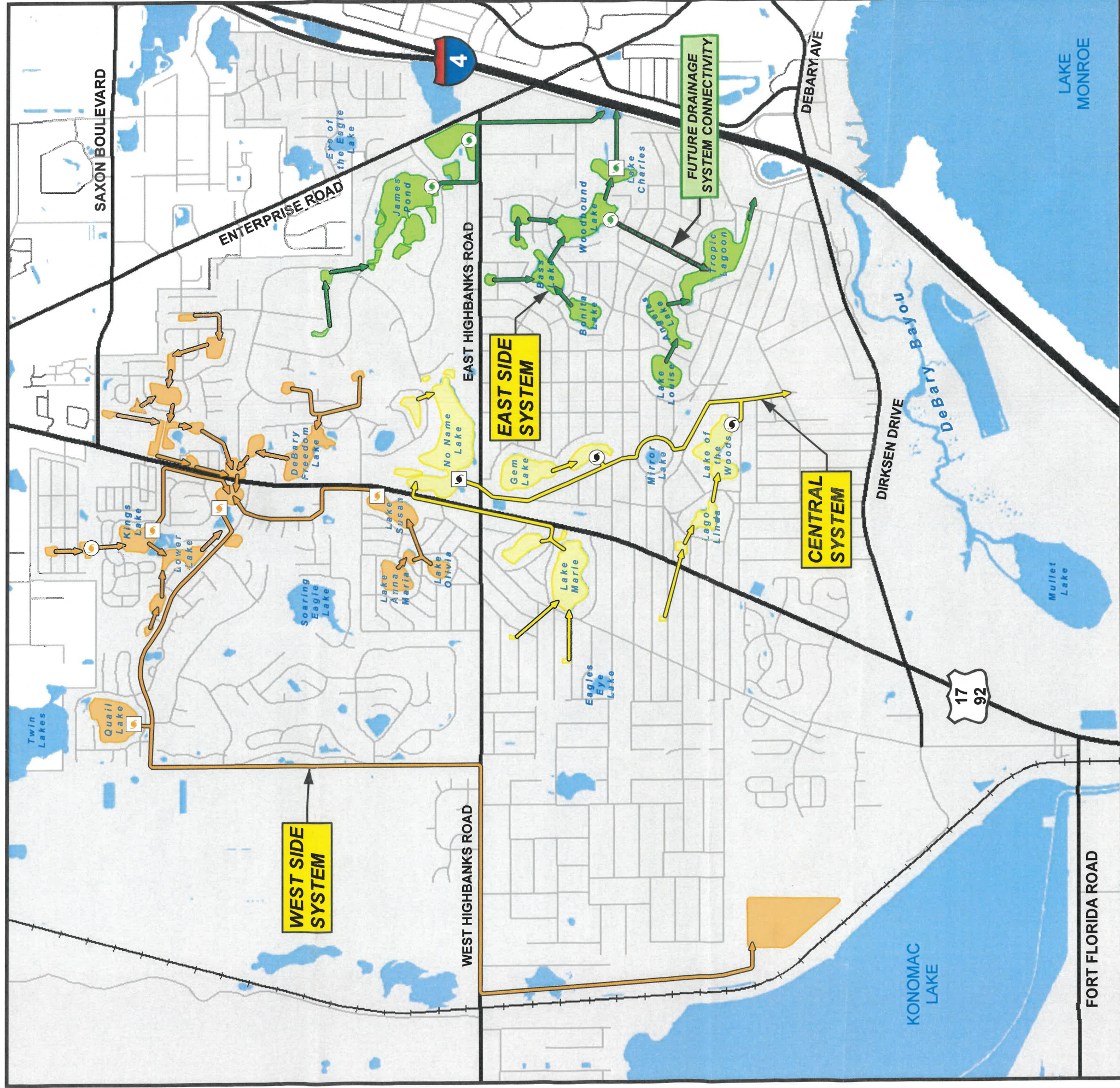
Job Description: Debary Storm ARV Rehab. (7 ARV's)

Item	Description	QTY	Cost	Amount
GENERAL				
1	Replacement of all failing piping materials within the ARV structure W/ 316 SS, including nipples, reducers, ball valves, etc. Original ARV will be used after cleaning. (storm ARV #1)	1	\$3,890.00	\$3,890.00
2	Excavate force main and bring piping up from old tap, Replacement of all failing piping materials within the ARV structure W/ 316 SS, including nipples, reducers, ball valves, 4" FL SS ARI ARV, etc. (storm ARV #2)	1	\$13,100.00	\$13,100.00
3	Clean & inspect for proper operation of existing ARV. (Storm ARV #3)	1	\$600.00	\$600.00
4	Clean & inspect for proper operation of existing ARV, Replacement of broken ball valve W/316 ss ball valve. (Storm ARV #4)	1	\$1,800.00	\$1,800.00
5	Clean & inspect for proper operation of existing ARV. (Storm ARV #5)	1	\$600.00	\$600.00
6	Clean & inspect for proper operation of existing ARV. (Storm ARV #6) (valve vault will need to be vac'd out currently full of water)	1	\$950.00	\$950.00
7	Clean & inspect for proper operation of existing ARV, Raise 24" ring and cover 6" to existing grade, will reuse existing R&C. (Storm ARV #7)	1	\$1,250.00	\$1,250.00
Sub total				\$22,190.00
Total				\$22,190.00

Terms Net 30 Days All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. This proposal is subject to acceptance within 30 days and is void thereafter at the option of the undersigned.

Proposal Accepted By: _____ Date: _____

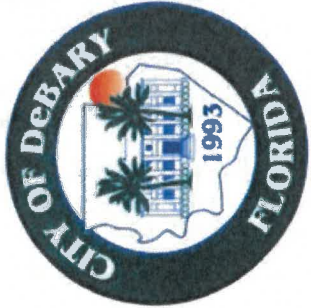
SIGNATURE



"COLOR CODED" DEBARY PRIMARY SYSTEM EXHIBIT
CITY OF DEBARY

N.T.S.

FIGURE 16



WEST SIDE SYSTEM		CENTRAL SYSTEM		EAST SIDE SYSTEM	
	PERMANENT PUMP STATION		PERMANENT PUMP STATION		PERMANENT PUMP STATION
	EMERGENCY PUMP LOCATION		EMERGENCY PUMP LOCATION		EMERGENCY PUMP LOCATION
	PRIMARY DRAINAGE		PRIMARY DRAINAGE		PRIMARY DRAINAGE
	SYSTEM CONNECTIVITY		SYSTEM CONNECTIVITY		SYSTEM CONNECTIVITY
	CONNECTED LAKES AND STORMWATER PONDS		CONNECTED LAKES AND STORMWATER PONDS		CONNECTED LAKES AND STORMWATER PONDS