



# City of DeBary, Florida

City Hall  
16 Colomba Road  
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**City of DeBary  
SPECIAL CITY COUNCIL MEETING  
AND EXECUTIVE SESSION**

**Wednesday  
February 25, 2009  
6 PM**

City Council Chambers  
16 Colomba Road DeBary, Florida 32713

## **AGENDA**

**I. Call To Order**

1. Invocation
2. Flag Salute

**II. Roll Call**

**III. Public Participation For Any Issues Not On the Agenda** - Citizen comments are limited to three minutes per speaker.

**IV. Approval of Minutes**

None.

**V. Additions, Deletions, or Amendments to the Agenda**

**VI. Presentations**

None.

**VII. Consent Agenda**

*Agenda items marked with \* are considered routine matters or have been previously discussed by the City Council. All items are considered by one motion unless removed from the Consent Agenda by a member of the City Council.*

None.

**VIII. Public Hearings**

*Members of the Council should disclose for the record the substance of any ex-parte communication that has occurred before or during the public hearings for the following items:*

None.

**IX. Growth Management and Development Review**

None.

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**X. Old Business**

1. Approval of Agreement for Personal Services for Grant Administration, Implementation and Acquisitions with Donald R. Ward & Associates, Inc.

**XI. New Business**

None.

**XII. Council Member/Committee/Staff Reports**

1. Member Reports/Communications
  - A. Mayor and Council Members
  - B. City Attorney
  - C. City Manager

**XIII. Business**

Request by City Attorney for Executive Attorney-Client Session to Discuss Pending Litigation Pursuant to Section 286.011(8), Fla. Stat. concerning DeBary Real Estate Holdings, LLC v. City of DeBary, Volusia County Circuit Court case no.: 2009-10280-CIDL and DeBary Real Estate Holdings, LLC v. City of DeBary, Volusia County Circuit Court case no.: 2009-10293-CIDL.

**XIV. Recess Public Meeting and Open Executive Attorney-Client Session with City Attorney**

Executive Attorney-Client Session (Closed to Public) to Discuss Pending Litigation concerning DeBary Real Estate Holdings, LLC v. City of DeBary, Volusia County Circuit Court case no.: 2009-10280-CIDL and DeBary Real Estate Holdings, LLC v. City of DeBary, Volusia County Circuit Court case no.: 2009-10293-CIDL.

Estimated Length of Session: 45 minutes.

Names of the Persons Attending: Mayor Bob Garcia, Vice Mayor Norm Erickson, Council Member Lenny Marks, Council Member Jack Lenzen, Council Member Van Conoley, City Manager Maryann Courson, City Attorney A. Kurt Ardaman, Assistant City Attorney Dan Langley, and Court Reporter.

**XV. Termination of Executive Session and Reopening of Public Meeting**

**XVI. Adjournment**

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.