

**City of DeBary  
CITY COUNCIL WORKSHOP**

**Thursday**

**February 12, 2009**

**6:00 PM**

City Council Chambers

16 Colomba Road

DeBary, Florida 32713

**MINUTES**

**I. Call to Order**

Mayor Garcia called the workshop to order at 6:00 p.m.

**II. Roll Call**

**Members Present:** Mayor Bob Garcia, Vice Mayor Norman Erickson, Council Member Van Conoley, Council Member Jack Lenzen, and Council Member Leonard Marks

**Others Present:** City Manager Maryann Courson and City Clerk Stacy Tebo

**III. Business – Discussion of FEMA Buyout Program by Don Ward**

Don Ward, FEMA Buyout consultant, said he was asked by the State of Florida to assist different communities with the Hazard Flood Mitigation Grant Program. He reviewed his qualifications for the Council and stated he has been involved with over 6,000 homes since he began working with the buyout program in 1989. He briefly explained the process that is utilized when a home is bought through FEMA. He noted that the owners would receive 75 percent of the fair market value as of August 1, 2008, which preceded the flooding event. He added that his fee is \$1,200 per parcel for handling the entire transaction.

Council Member Conoley asked Mr. Ward if he generally uses a standard contract for handling the buyouts. Mr. Ward answered that it is at the City's discretion, and there is also an indemnification clause in the contract.

Mr. Ward outlined the procedure for payment to the owner and the role of the City in the entire process.

Council Member Lenzen stated that the City would be receiving a benefit in the form of land to enhance the capacity of the stormwater system, so perhaps the City should bear some of the cost of the buyouts.

Ms. Courson asked the Council if they wished to discuss the City bearing a portion of the administrative costs at the next regular Council meeting. The Council requested that the next agenda contain a discussion of the City bearing 25 percent of the administrative costs for the FEMA buyout program.

Ms. Courson stated that the City requested \$2.4 million in the State grant application for nine homes.

Elaine Swanson, 123 Pine Valley Court, voiced concern that the Local Mitigation Strategy Committee (LMS) approved \$2.2 million for the buyout of seven, and not nine homes. She asked the Council to leave the grant the way it was approved by the LMS for seven homes, and to utilize other grants for the two additional homes.

Stormwater Engineer David Hamstra explained that between November and January, some of the original fourteen homeowners changed their minds, and there were communication issues leading up to the LMS meeting. He stressed the point that whatever the total number of homes, the amount being paid to each homeowner is still 75 percent of the fair market value.

Jason McCright, with the Florida Division of Emergency Management, explained the Hazard Mitigation Grant Program LMS ranking process. He stated that it is up to each individual County how they fund their projects; that the State has not received the official list from Volusia County; and that the matter is not closed as far as the State is concerned.

Mr. Ward stated that the City submitted a grant application to the State for the purchase of nine homes at approximately \$2.4 million; that the City should accept the grant and perform the appraisals; that the City should not stop the application process; and that the application does not obligate the City to buy all nine homes.

Dan Disrud, 301 Alexandra Woods Drive, said he thought the demolitions could be done for a lot less than the \$10,000 estimate mentioned by Mr. Ward. He thanked Council Member Lenzen for suggesting the City's participation in the administrative costs of the buyouts.

Richard Kearley, 57 Bougainvillea Drive, said he and his neighbor never requested removal from the LMS list. He said his son did request removal of another property on Bougainvillea Drive, and perhaps that is how the miscommunication occurred. He noted that the total number of houses has nothing to do with the issue when the grant only allows for 75% based on the appraisal.

Mr. Hamstra stated that \$2.4 million is the City's official application to the State of Florida.

Vice Mayor Erickson said he would like to see the numbers for five, ten, and twelve and a half percent in addition to the administration fees discussed earlier by Council Member Lenzen.

Council Member Marks asked where the extra money would come from if the seven homes use up the \$2.2 million allocation. Mr. Hamstra said they would have to wait until the appraisals are done before it is known how far the money will go.

Mr. Ward recommended that the City continue moving forward with the application for nine homes to the State and not delay the process.

Mayor Garcia asked Mr. Ward to explain the estimates that he prepared for the nine homes.

Joan Main, 303 Alexandra Woods Drive, asked what would happen if they objected to the official appraisal. Mr. Ward explained FEMA's process for resolving appraisal disputes.

Jeff Morosetti, 307 Alexandra Woods Drive, asked the difference between the LMS estimate of \$2.2 million and the \$1.9 million estimate prepared by Mr. Ward. Council Member Lenzen explained that the LMS number did not have the 25 percent owner contribution deducted from the figures.

Robin Schmidt, 305 Alexandra Woods Drive, voiced concern that she would still owe on her mortgage after the buyout is completed.

Ms. Courson stated she would place the FEMA buyout item on the agenda for an official vote at the regular meeting the following week. She added that she would provide the numbers requested by Council

#### **IV. Adjournment**

The workshop adjourned at 7:59 p.m.

**APPROVED May 20, 2009  
CITY OF DeBARY  
CITY COUNCIL**

**Bob Garcia, Mayor**

**ATTEST:**

**Stacy Tebo, City Clerk**