

To: Mayor and City Council
From: Maryann Courson, City Manager
Date: May 16, 2008
Subject: City Manager's Weekly Report

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1. Burn ban is in effect

Mayor and City Council have issued an outdoor burn ban to be in effect until further notice. All outdoor burning is banned, unless authorized by the Florida Division of Forestry. Banned: burning of yard trash, household paper products, bonfires, campfires, warming fires, and cooking fires. The only exception is outdoor cooking done with a contained gas or charcoal grill (excluding a fire pit).

2. Comprehensive Plan

The City's Comprehensive Plan – Evaluation and Appraisal Report (EAR) is being sent to you today. The Plan will be discussed at the June 4th Regular City Council Meeting. Upon the Council's review and approval, the Plan will be submitted to the Department of Community Affairs (DCA) for their review.

3. Central Commuter Rail Commission TAC Meeting

On May 14th, I attended the Technical Advisory Committee's (TAC) meeting held at the FDOT Urban Office in Orlando. The bill to fund the liability for CSX passed in the State House but failed in the State Senate. The project money to fund the work program remains in the FDOT budget. The liability issue will be addressed in Tallahassee either at the next scheduled session or at a special session. CSX's agreement extends to June 30, 2009. TAC Chairman Roger Neiswender briefed the Committee on the May 9th Rail Commission meeting. CFCRT Project Manager Tawny Olore provided an update on the Federal "glitch" bill and the project activities that transpired during the past month. The opening date for the rail system has been extended to mid 2011.

4. Central Florida Commuter Rail

Please see the attached May 6th letter from Member of Congress John Mica which provides an update on the Rail system. Also attached is CSX Chairman Michael Ward's May 5th letter regarding CSX's commitment to commuter rail.

5. Volusia Empire ASR (aquifer storage and recovery)

St. Johns River Water Management District (SJRWMD) is proceeding with work on monitor wells at the Volusia Empire site and will continue through the summer. A temporary pipe line will be installed on District land from the project site to the FDOT pond at I-4 (and have permit from, and

are coordinating with, FDOT) for discharge of ground water from pumping tests. The pipe line will not disrupt use of the recreational trail. Based on pump test results, a decision will be made later this summer on whether to proceed with drilling the ASR Test Well, subject to availability of funds. The design and permitting of the ASR Surface Facilities (treatment building, access road, pipeline from US Highway 17/92, etc.) are still on hold at 60% completion and will not proceed until project decisions are made based on results of the current drilling program. There has been no further action taken on potential land acquisition issues (for direct access from US Highway 17/92, east into the project site), and none is planned until drilling results are known.

6. Safety Coordinator

HAM radio operators' weekly meeting discussed the Statewide Hurricane exercise and the activation of a number of HAM stations to assist in the exercise. Also discussed was the possibility of sending e-mail over the HAM radio to show the capabilities on Win Pac during a disaster.

The second class for CERT was held and 18 residents were in attendance. Deltona Fire Chief Dave Faer taught Fire Safety and Fire Suppression. The students received hands-on training with fire extinguishers and put out small trashcan size fires.

Safety Coordinator Alan Williamson has completed and has submitted his CERT grant to the State. The grant is for CERT equipment, CERT supplies, and student materials.

Alan is currently researching request for proposals (RFP) for debris pick-up. A recent RFP was awarded for debris monitoring and the awarded company (Neel-Shaffer, Inc.) is assisting with the process.

7. Finance Directors' Meeting

City Finance Administrator James Seelbinder attended the Finance Directors' meeting on May 12th in Daytona Beach. The following items were discussed: Budget preparation strategies, Potential interlocal agreements for various city services, Joint procurement opportunities, and TRIM Update.

8. Highbanks Road Sidewalks

Council Member Lenny Marks, Assistant City Manager Anthony Gonzalez, County Road and Bridge personnel, and I met to discuss the conditions of the sidewalks along east and west Highbank Roads. Areas of safety concerns were identified and Road and Bridge has a listing of repairs to be undertaken. Construction should occur in the near future.

9. Code Enforcement Board

Board Meeting date: May 14, 2008 Case resolutions.

Cases found in compliance: Case #07-196-H 605 Moss Point Cove Ct., Case #07-197-H 3001 Cat Tail Lane, Case #07-275-H 42 Narcissus Dr., Case #08-046-H N. US-HWY 17-92, and Case # 07-292-H 232 Sunrise Blvd.

New Business: Case #08-084-H 106 Hickory Stick Court – high growth, debris, and building material – given 14 days to remove high growth, debris, and building material – if still found in non-compliance, City will remove and place lien on property - beginning May 30, 2008

Unsafe building - given 60 days to remove unsafe building – if still found in non-compliance, Board will recommend to Council for condemnation. – beginning July 14, 2008.

New Business: Case #08-079-H 9 Smyrna Drive – high growth, trash, and debris – given 14 days to remove – if still found in non-compliance, fine will be \$250/day – beginning May 30, 2008.

New Business: Case #08-083-H 245 Lucerne Dr. – vehicle without tag – given 14 days to remove – if still found in non-compliance, fine will be \$50/day – beginning May 30, 2008.

New Business: Case #08-093-H 75 S. US HWY 17-92 – continuance granted till June 11, 2008.

10. Parks and Recreation Department

Recreation Coordinator Michelle Leach met with summer camp counselors on Tuesday, May 13, 2008 to sort through supplies.

Recreation Coordinator Michelle Leach and Parks and Recreation Director John Fletcher attended the Volusia County Recreation Directors Association Meeting on Wednesday, May 14, 2008.

The Mother/Son Dance will be held on Friday, May 16, 2008 at Florence K. Little Town Hall from 6-9pm. Music provided by DJ John D and photos provided by Hansen Fine Portraits.

The Wednesday Walker program is accepting registrations for any adults interesting in walking on Wednesday mornings at 8am. Routes vary from different locations around DeBary. Cost is \$20 per calendar year. Please contact Recreation Coordinator Michelle Leach for more information.

Registration for the 2008 Summer Camp program will end on May 30, 2008 and is located at the Parks and Recreation Office at Gateway Park. Cost is \$60 per week, which includes summer camp T-shirts and weekly field trips. Space is limited! For more information on this program contact the Parks and Recreation Department at 386-456-5150.

11. Land Development Activities

The following pre-application were submitted to the City for review: (1) Missionaries of Hope, Inc., a medical office to be located on South Highway 17/92 and (2) an office building submitted by Charles Spalding to be located in the downtown area.

12. Drainage Improvement Projects

Design Projects: Anthony J. Bryan, GAI

With the completion of the Jasmine Drive, Bougainvillea Drainage and Water Main Plans, we are continuing to work on the remaining four DeBary CIP Drainage Projects and the one drainage study we have. A production schedule has been prepared on each project for submittals to PEC and SJRWMD.

Utilities: We talked to Joel Chatham with Progress Energy regarding relocation of their power poles on some of the projects. He indicated that they need approximately ten week's notice to do

their review, design and schedule relocation poles. We will schedule all utility contacts so they occur at least 12 weeks before advertisement of the project to give them the necessary lead time.

Jasmine Drive and Bougainvillea Drive Water Main Plans: Water Main Plans were delivered to Volusia County Water and Utility Services for their records.

Valencia and Plumosa Roads: 90% Drainage Plans: In-house review completed May 16, 2008 and the plans will go to PEC for their review May 19, 2008. Plans and permit package to SJRWMD June 4, 2008.

Pine Valley Court: Initial in-house review completed. Minor revisions to the plans needed and are underway. Follow-up for in-house review of the 90% plans will begin Monday, May 19, 2008 and submittal to PEC, May 22, 2008. Permit package to go to St. Johns River Water Management District June 9, 2008.

Matanzas Road: Plans and Permit Package are in final stages of preparation for the 90% review. Schedule: In-house review May 22, 2008 and to PEC; May 27, 2008. SJRWMD: June 16, 2008.

Monroe, Catalina, and Pond OS: Plans are in final stages of preparation for the 90% review. Schedule: In-house review May 28, 2008. To PEC June 4, 2008 and SJRWMD; June 24, 2008.

Utilities on the project have been identified and we had an initial discussion with Volusia County Water and Utility Services.

25 Lake Drive Drainage Study: Study is complete. We are preparing a cost estimate. Study and cost estimate will be delivered to City, Monday, May 19, 2008.

Magnolia-Aster Drainage: We have been not been able to get a response from the SJRWMD giving us an estimated time for issuance of the permit. We will continue follow up this.

Construction Updates: Kevin Hare, GAI

Riviera Drive Capital Improvement Drainage Project – CIP Project #4

Progressive Contractors Inc. (PCI) concentrated on restoration work again this week. Pavement repairs were in progress on Highland Avenue, Alemander Avenue, Riviera Drive, and East Constance Drive. Most of the pavement repairs on the project were completed this week.

Sod installation has continued and PCI has been watering the new turf consistently to establish growth which has been especially challenging during the recent dry conditions. The project is near completion, on schedule and within budget.

DeBary Drive Capital Improvement Drainage - CIP Project #3

Wal-Rose, Inc. completed the main pipe run along the north side of DeBary Drive connecting retention Pond A at the corner of Sepp Rd. and DeBary Drive to retention Pond B at the corner of Swift Road and DeBary Drive. During heavy rains, Pond A will overflow via piping to Pond B to alleviate localized flooding along DeBary Drive between the ponds.

Wal-Rose, Inc. formed and placed concrete for pavement restoration, new inlets, curbs and sidewalk at the intersection of Sepp Road and DeBary Drive. The picture below shows the work in progress.



Sod was placed for slope protection at Pond B. The contractor has been watering the new sod to establish growth. Restoration work has been completed for most of the new swales and sidewalk along DeBary Drive. The project is expected to be substantially completed within the next two weeks, well ahead of schedule and within budget. The picture below was taken on DeBary Drive near Swift Road looking west at the work area.



Bougainvillea Drive and Marsella Road Capital Improvement Drainage Projects, #10, #22, Jasmine Drive Drainage Improvements, Bougainvillea Dr. Utility Installation, Jasmine Drive Utility Installation.

Addendum No. 2 was issued to provide Bidder's with updated Bid Forms. The Engineer's Estimate totals \$743,115.00, of which \$163,471 is for the utility installation work by Volusia County.

The Bid Date for the project is Tuesday May 20, 2008. Bids will be received until 2:00 PM at which time they will be opened and read aloud to the public at Florence K. Little Town Hall.

END OF REPORT

Congress of the United States
House of Representatives
Washington, DC 20515-0907
May 6, 2008

CITY OF DEBARY
MAY 13 2008
RECEIVED

Ms. Maryann Courson
City Manager
City of DeBary
137 S. U.S. Highway 17-92
DeBary, FL 32713-3264

Dear Maryann:

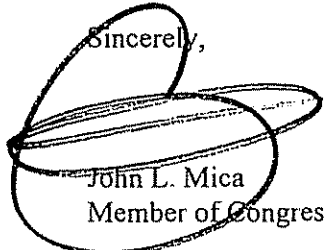
I wanted to provide you with an update on the Central Florida Commuter Rail project in light of the recent Florida Legislature adjournment. As has been widely reported, a resolution of the liability issues was not reached by the session's conclusion. However, I did want to report to you that after consultation today with State and CSX officials and with our federal partners that we intend to continue forward with the project with only minor delays. It is important to point out that the Florida/CSX contract extends through **JUNE 30, 2009**. Not reported in the media was the fact that the State of Florida has fully funded its share of the project and the FTA will approve this week supplemental changes made to the project for the DeBary and Longwood stations and complete the FTA-required review of the S-Line impact of the Lakeland area. Additionally, I would like to assure you that the federal funds that I secured for DeBary will remain available for the project.

The next scheduled events in the project will be a series of hearings in Central Florida planned for the first two weeks of June. These are FTA-required public meetings on project changes that were made after the initial submission to the federal transit agency. We anticipate that final design work should begin in August this year making our project eligible for inclusion in the 2008-09 Federal Budget New Starts that will be designated at the end of this year. This will provide us with both time and ability through next year's Florida Legislative Session to secure project liability provisions. This will also bring our project into sequencing with the federal budget cycle and time-lines. However, this is expected to delay the opening of the project and initial service from October 2010 to spring of 2011.

Your past assistance and support for this important transportation project is most appreciated. Thank you again and please join us in letting every decision maker know how vital it is to succeed not only for our communities but also Central Florida and the future of transportation in the State of Florida. If you have any further questions regarding the project, please do not hesitate to contact me or my Legislative Assistant Talia Shabat at (202) 225-4035 or Joyce Rose of the Subcommittee on Highways and Transit at (202) 225-6715.

With my regards and best wishes, I remain

Sincerely,



John L. Mica
Member of Congress

CSX
CORPORATION
Michael J. Ward
Chairman, President
Chief Executive Officer

500 Water Street
Jacksonville, FL 32202
Tel. (904) 366-5210
Fax. (904) 359-1216

May 5, 2008

The Honorable Charlie Crist
Office of the Governor
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

The Honorable Corrine Brown
United States House of Representatives
2336 Rayburn House Office Building
Washington, DC 20515

The Honorable John Mica
United States House of Representatives
2313 Rayburn House Office Building
Washington, DC 20515

Dear Governor Crist, Congresswoman Brown and Congressman Mica:

Thank you for your continued leadership in delivering transportation projects in Florida that reduce congestion, promote economic development and protect the State's environment.

CSX remains agreeable to working with State, Federal and local officials to provide a cost effective solution for commuter rail in Orlando, while maintaining our vital rail network to deliver goods to Floridians in a safe, efficient and environmentally sustainable manner. Our contract with the Florida Department of Transportation allows until June 30, 2009 for passage of legislation to provide for the purchase of insurance and allocation of liability prior to closing on the sale of our right-of-way. We will honor that commitment.

Permitting and public review of the new intermodal and automotive terminal in Winter Haven are proceeding. This state-of-the-art facility will provide an important economic stimulus to Polk county, and reduce long haul truck traffic in the State as developers locate warehouse and distribution centers adjacent to the rail terminal.

Sincerely,

Michael Ward

City of DeBary, Florida

CALENDAR OF EVENTS

May 19 Monday 5 PM	VCOG Governing Board Meeting 2570 W. International Speedway Blvd. Suite 120 DAB
May 20 Tuesday 1:30 PM	VCMPO Citizens Advisory Committee Meeting 2570 W. International Speedway Blvd. Suite 120 DAB
May 20 Tuesday Bids received until 2 PM	Bid Opening – 2 PM Bougainvillea Drive and Marsella Road Capital Improvement Drainage Projects Bid No. 03-08 Florence K. Little Town Hall, 12 Colomba Road
May 20 Tuesday 6:30 – 8 PM	Public Safety Advisory Committee Meeting Florence K. Little Town Hall
May 21 Wednesday 9:30 AM to 12:30 PM	Historic Preservation Advisory Board Workshop Florence K. Little Town Hall
May 21 Wednesday 9 – 10:30 AM	Hurricane Forum – Progress Energy Volusia County Fairgrounds, 3150 East NY Avenue in DeLand
May 21 Wednesday 6:30 – 7:30 PM	City Council Workshop Florence K. Little Town Hall
May 21 Wednesday 7:30 – 11 PM	Special City Council Meeting Florence K. Little Town Hall
May 23 Friday Bids received until 2 PM	Bid Opening – 2 PM River City Nature Park Perimeter Fencing Bid No. 02-08 Florence K. Little Town Hall, 12 Colomba Road
May 26 Monday	City offices closed for Memorial Day
May 27 Tuesday 8 AM	VC Metropolitan Planning Organization Meeting 2570 W. International Speedway Blvd. Suite 120 DAB
May 27 Tuesday 9 AM	Development Review Committee Meeting Florence K. Little Town Hall
May 29 Thursday 7 – 9 PM	Orlandia Heights Meeting Florence K. Little Town Hall
May 30 Friday 8:30 AM to 5:30 PM	Last day to register for DeBary Summer Camp Gateway Park Office