



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 12/01/09

Subject: Implementation Strategy for Drainage Improvements on Elliott property.

Department: Public Works.

Recommended Motion:

To approve Resolution No. 09-102, amending Resolution 09-95 and ratifying contract sale and purchase (S. Elliott).

Summary:

Pursuant to City Council's request, this resolution has been redrafted to provide for the implementation strategy for the drainage facilities.

Attachments: Ordinance Resolution Budget Resolution

Other Support Documents/Contracts Available for Review in Manager's Office

Department Head *W.P.* Warren Pike, Public Works Director Date *11/19/2009*

Finance Department *N/A* Approved as to Budget Requirements Date

City Attorney *M. J. Kutz* Approved as to Form and Legality Date *11.19.09*

City Manager *[Signature]* Approved Agenda Item For: *12/1/09*

COUNCIL ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain Approved with Modification

RESOLUTION NO. 09- 102

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING RESOLUTION NO. 09-96; PROVIDING FOR DRAINAGE FACILITIES; RATIFYING A CONTRACT FOR SALE AND PURCHASE OF APPROXIMATELY 0.75 ACRES OF REAL PROPERTY LOCATED EAST OF SPRUCE CREEK ROAD AND WITHIN UNINCORPORATED VOLUSIA COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Walter W. Smith and Carol A. Smith, desires to sell and the City of Port Orange desires to buy a parcel of real property located east of Spruce Creek Road as described in the Contract for Sale and Purchase, to Resolution No. 09-96; and

WHEREAS, the City plans that the property will be utilized for the development of drainage facilities; and

WHEREAS, consistent with the drainage needs, the City intends to implement the drainage facilities in the least intrusive manner, using the least amount of the property, with input by Volusia County neighboring residents and with no recreational component; and

WHEREAS, funding is available for acquisition of the property from the drainage fund; and

WHEREAS, the City Council has reviewed the Contract for Sale and Purchase, and has determined that it is fair and equitable and that it is in the best interest of the City of Port Orange and the citizens thereof to enter into the Contract.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

(RES. NO. 09-____)

Section 1. The Contract for Sale and Purchase, as approved by City Council in Resolution No. 09-96 is hereby ratified and all terms and conditions shall remain in full force and effect.

Section 2. This resolution shall take effect immediately upon adoption.

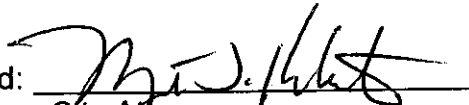
MAYOR ALLEN GREEN

ATTEST:

Kenneth W. Parker, City Manager

Adopted on the day of

Reviewed and Approved:


City Attorney



MEMORANDUM

To: Mayor Allen Green
Vice Mayor Mary S. Martin
Councilman Dennis Kennedy
Councilman Robert Pohlmann
Councilman George Steindoerfer

From: Kenneth W. Parker, City Manager *Kenneth W. Parker*

Subject: Update on Elliott and Smith Property

Date: November 23, 2009

Currently, we are in the due diligence process on the Elliott and Smith properties. That means the City is examining several issues. First, we are examining the permit ability of the property for stormwater retention, detention, and treatment. Second, we are examining environmental issues, required setbacks from Spruce Creek, wetland issues, and habitat. Third, we are examining archaeological factors that may limit the use of the property for stormwater retention, detention, and treatment. We will be meeting with St. Johns and Volusia County.

As you have seen, I have proposed to engage the communities throughout the process. The communities that will be involved in the process include Riverwood, River Oaks, Spruce Creek Estates, and the individuals who live south of the City limits on Spruce Creek Road, Anthony, and Hewitt. We will convene a meeting when the concept plan is completed, then at 30%, and 60% design drawings, and prior to bidding. After bids have been received and a contractor selected, we will hold our normal "tailgate" meeting to discuss the method of construction and time lines. Also, the contact people will be introduced to the neighborhood.

We are looking at how much land will be needed and if Smith, Elliott, and other properties owned by the City will be enough to meet all of the retention requirements so that the required level of treatment is achieved. When given the opportunity, Port Orange has sought to upgrade treatment levels of stormwater being discharged into Spruce Creek, Rose Bay, and other bodies of water. The most recent example of the Council choosing to use this approach was the upgrades to the treatment of stormwater west of I-95. The Council had the option of simply conveying stormwater or meeting the Outstanding Florida Water requirements. We are proposing to use the same approach in this area to meet a higher standard for stormwater retention.

There is another option available that would be less expensive. It would involve installing a dry line along Spruce Creek Road to the end of Spruce Creek Road. A pump connection would be installed at the end of the ditch at River Oaks. The pump would kick on when the water levels reach a certain prescribed level in the ditch, and then the water would be discharged to the Creek. This would be for emergency purposes only. This is what we are doing now. The only change would be the installation of a permanent dry line. This approach, installation of the permanent dry line, would eliminate the temporary pipe that we have used in the past. Currently, when people want to cross the pipe, we have to stop the pumping so that vehicles can cross the line. This approach does not address water quality issues. It only addresses water quantity issues. This approach makes it far easier to pump water and would be far less disruptive to the neighborhood than the current method of running drainage across their driveways. The City has the necessary easements needed to achieve this option.

It is my opinion that any time you have the opportunity to upgrade treatment, the City should do so. That has been the City's practice for a number of years.

Kwp/rlg

Cc: Warren Pike, Public Works Director
Mark Hampton, Quentin L. Hampton Associates, Inc.