



# TOWN COUNCIL AGENDA REGULAR MEETING

THURSDAY  
JULY 17, 2025 – 2:00 P.M.

TOWN COUNCIL CHAMBERS  
4300 S. ATLANTIC AVENUE, PONCE INLET, FL

**SUNSHINE LAW NOTICE FOR BOARD MEMBERS – Notice is hereby provided that one or more members of the Town’s various boards may attend and speak at this meeting.**

A complete copy of the materials for this agenda is available at Town Hall.

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL.

*NOTE: Citizens who wish to speak during Public Participation about any subject that is not on the meeting agenda should fill out the Citizen Participation Request form and submit it to the Town Clerk prior to the start of the meeting.*

4. ADDITIONS, CORRECTIONS OR DELETIONS TO THE AGENDA.

5. CITIZENS’ PARTICIPATION - *The Town of Ponce Inlet encourages engagement by citizens via a variety of means. This is an opportunity for our citizens to talk to us collectively on any subject that is not identified on the meeting agenda. The Town’s Rules for Conducting Town Council meetings are set forth in Resolution 2024-09 and include the following guidelines:*

- *Citizens are provided with **5 minutes** at each meeting to speak on one or more issues that are not otherwise placed on the meeting agenda.*
- *Please introduce yourself with your name and address clearly for the record.*
- *Share with us your thoughts, ideas, and opinions; we want to hear them.*
- *Under our rules, all questions and comments are directed to the Mayor.*

*While some questions may be able to be addressed at this meeting, others may require research or more information than we have readily available from our staff, so we may have to defer the response to you until we have that information. Also, depending on the type of issue, we may place the matter on a properly noticed subsequent meeting agenda. As a Council, we welcome the opportunity to hear from you and hope you will speak with us not only during Citizen Participation but outside of these meetings. We understand the formal nature of this meeting, but rest assured, we want to hear from you, we want to address your concerns, and we are appreciative of your involvement.*

6. PROCLAMATIONS, PRESENTATIONS, AND AWARDS: *None.*

7. CONSENT AGENDA - *Items on the consent agenda are defined as routine in nature that do not warrant detailed discussion or individual action by the Council; therefore, all items remaining on the consent agenda shall be approved and adopted by a single motion, second and vote by the Town Council. Items on the consent agenda are not subject to discussion. **Any member of the Town Council may remove any item from the consent agenda simply by verbal request at the Town Council meeting.** Removing an item from the consent agenda does not require a motion, second or a vote; it would simply be a unilateral request of an individual Council member and this item would then be added as the last item under New*

*Business. As with all agenda items, the public will have the opportunity to comment prior to a motion being placed on the floor and their comment(s) may persuade the Council to remove the item from the Consent Agenda and place under New Business for discussion.*

- A. Approval of the Town Council Preliminary Budget Workshop meeting minutes. – June 10, 2025.
  - B. Approval of the Town Council Regular meeting minutes. – June 19, 2025.
  - C. Approval of the Town Council Special meeting minutes. – June 25, 2025.
  - D. Declaration of Public Works Building “B,” emergency generator, and backhoe as surplus property.
  - E. Approval of Settlement Agreement with Ponce Inlet Professional Fire Fighters, Local 4140, IAFF for Award of Appellate Attorney’s Fees to the Town of Ponce Inlet.
8. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE MEETING:
- A. Appointment to the Cultural Services, Historic Preservation, & Tree Advisory Board.
9. PUBLIC HEARINGS / QUASI-JUDICIAL MATTERS:
- A. Ordinance 2025-04 – 2<sup>nd</sup> Reading – Amending the official zoning map designation of 4784 S. Peninsula Drive from “C” (Conservation) to “R-1” (Low-Density Single-Family Residential).
  - B. Ordinance 2025-05 – 2<sup>nd</sup> Reading – Amending the official zoning map designation of parcel ID# 6430-00-01-0091, located on the west side of S. Peninsula Drive between Calumet Avenue and Inlet Harbor Road, from “C” (Conservation) to “R-1” (Low-Density Single-Family Residential).
10. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS:
- A. Resolution 2025-08 – Vacation of drainage, access, and utility easement, Case No. VAC 5-2025, 4915 S. Atlantic Avenue.
11. ORDINANCES (FIRST READING) AND RESOLUTIONS:
- A. Resolution 2025-07 – Adopting a proposed millage rate for Fiscal Year 2025/2026 and establishing dates for the tentative and final millage rate public hearings.
  - B. Resolution 2025-09 – Authorizing participation in Volusia County’s Transform386 Homeowner Repair and Replacement Program and Homeowner Recovery Program Buyout Pathway.

12. OLD BUSINESS: *None.*
13. NEW BUSINESS: *None.*
14. FROM THE TOWN COUNCIL:
  - A. Vice-Mayor Smith, Seat #5
  - B. Councilmember Villanella, Seat #4
  - C. Councilmember White, Seat #3
  - D. Councilmember Milano, Seat #2
  - E. Mayor Paritsky, Seat #1
15. FROM THE TOWN MANAGER.
16. FROM THE TOWN ATTORNEY.
17. CITIZENS' PARTICIPATION - *The Town of Ponce Inlet encourages engagement by citizens via a variety of means. This is another opportunity for our citizens to talk to us collectively for **2 minutes** before closure of this meeting regarding reports provided by the Town Council, Town Manager, or Town Attorney in items 14-16 (only) of the meeting agenda.*
18. ADJOURNMENT.

Upcoming Town Council meeting(s):

- Thursday, August 21, 2025, 2:00 PM – Regular Town Council Meeting.
- Wednesday, September 3, 2025, 6:00 PM – Special Town Council Meeting and Budget Hearing.
- Thursday, September 18, 2025, 6:00 PM – Regular Town Council Meeting and Budget Hearing.

*If a person decides to appeal any decision made by the Town Council with respect to any matter considered at a meeting or hearing, he/she will need a record of the proceedings and that 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. Persons who require accommodation to attend this meeting should contact the Ponce Inlet Town Hall at 236-2150 **at least 48 hours prior to the meeting** to request such assistance.*



**Meeting Date: 7/17/2025**

**Agenda Item: 7**

## **Report to Town Council**

**Topic:** Consent Agenda

- A. Approval of the Town Council Preliminary Budget Workshop meeting minutes. – June 10, 2025.
- B. Approval of the Town Council Regular meeting minutes. – June 19, 2025
- C. Approval of the Town Council Special meeting minutes. – June 25, 2025.
- D. Declaration of Public Works Building “B,” emergency generator, and backhoe as surplus property.
- E. Approval of Settlement Agreement with Ponce Inlet Professional Fire Fighters, Local 4140, IAFF for Award of Appellate Attorney’s Fees to the Town of Ponce Inlet.

**Summary:** See attached documents.

**Suggested motion:** To approve the Consent agenda as presented.

**Requested by:** Ms. Cherbano, Town Clerk  
Mr. Wargo, Public Works Director  
Mr. Disher, Town Manager

**Approved by:** Mr. Disher, Town Manager





**Town of Ponce Inlet  
Town Council  
Preliminary Budget Workshop Minutes  
June 10, 2025**

1     **1.     CALL TO ORDER:** Pursuant to proper notice, Mayor Paritsky called the meeting to order  
2     at 10:00 a.m. in the Council Chambers at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

4     **2.     PLEDGE OF ALLEGIANCE:** Mayor Paritsky led the Pledge of Allegiance.

6     **3.     ROLL CALL:**

7     **Town Council:**

8     Mayor Paritsky, Seat #1

9     Councilmember Milano, Seat #2

10    Councilmember White, Seat #3

11    Councilmember Villanella, Seat #4

12    Vice-Mayor Smith, Seat #5

14    **Staff Members Present:**

15    Ms. Alex, Cultural Services Manager

16    Ms. Cherbano, Town Clerk

17    Mr. Disher, Town Manager

18    Ms. Gatrost, Public Works Office Manager

19    Ms. Gjessing, Deputy Town Clerk

20    Chief Glazier, Police Chief

21    Ms. Hall, Assistance Finance Director

22    Ms. Hugler, Fire Department Office Manager/ PIO

23    Mr. Lear, Planning & Development Director

24    Ms. McColl, Finance Director

25    Mr. Okum, IT Director

26    Chief Scales, Public Safety Director

27    Mr. Wargo, Public Works Director

29    **4.     Discussion – Capital Improvements and Level-of-Service.** – Mayor Paritsky announced  
30    that the purpose of the preliminary budget workshop is not to set a millage rate but evaluate the  
31    Town’s needs and determine how they align with the Town Council’s goals. Mr. Disher provided  
32    a presentation and overview of preliminary assumptions, obligations, priorities and next steps  
33    regarding the FY 2025/2026 Town budget. He further described the levels of service provided by  
34    the Town, and reviewed the process by which the Town’s advisory Boards (Cultural Services  
35    Board and Essential Services Advisory Board) provide recommendations that are considered in  
36    the development of the annual budget. Mr. Disher noted the progress in building up the Town’s  
37    operating reserves, as well as the impact of the 2024 hurricane expenses. He highlighted rising  
38    costs related to employee benefits, insurance, and retirement rates; and indicated that wage  
39    adjustments between 3-5% may be implemented based on the Consumer Price Index (CPI) and

40 results of the salary survey. Property insurance is projected to rise by around 10%. He provided  
41 assumptions on utility fees and described how the Town regulates its rates in response to Port  
42 Orange's water rate adjustments. Mr. Disher reviewed the Town's loan obligations and revenues  
43 and then presented the data that impacts the tax base and showed how the changes compare over  
44 the last few fiscal years. He reviewed the advisory Boards' budget recommendations, their priority  
45 lists, and elaborated on next year's specific projects as well as the 5-year capital improvement  
46 project list. Councilmember White suggested establishing a fund that is restricted to Town  
47 recreational usage and requested more information related to the proposed replacement fire station  
48 including grant opportunities, total land acquisition fund usage, and details on the site feasibility  
49 analysis. Councilmember White inquired whether the level of service from Public Works would  
50 be affected once one of their vehicles is transferred to the fire department. He commented on the  
51 Town's vehicle leasing practices and suggested further research into other options; he also  
52 provided comments related to the proposed projects and services from the Public Works five-year  
53 capital improvements project list. Councilmember Villanella questioned the longevity of the  
54 vehicles being considered for future replacement. Councilmember Milano commented on the  
55 Town's Vision Statement and emphasized the importance of a safe environment while observing  
56 items being proposed for budget consideration. Mayor Paritsky noted the Town's determination in  
57 finding available grants. Councilmember White brought up House Bill (HB) 119 and inquired how  
58 this will impact the firefighters' work shifts; Chief Scales clarified the bill is not mandating  
59 standardized shifts but instead encourages it.

60  
61 Mayor Paritsky opened public participation – Mr. Steve Field, 6 Mar Azul, provided a handout to  
62 the Council summarizing key financial information. Mr. Shannon White, 39 Coastal Oaks Circle,  
63 requested a spreadsheet on the Town's vehicle fleet replacement schedule and commented on the  
64 site feasibility analysis of the replacement fire station. Ms. Barbara Davis, Ponce Inlet resident,  
65 provided a brief history on the Town's infrastructure and encouraged everyone to take preemptive  
66 measures guaranteeing long-lasting resiliency. She also suggested moving up the timeline of the  
67 replacement backhoe and making the purchase within this fiscal year. Ms. Karen Rij, Ponce Inlet  
68 resident, thanked the Councilmembers for their effort and review. Ms. Kathy Martin-Smith, 8  
69 Aqua Clara, encouraged all improvements to be made within the available budget to balance  
70 increasing costs; she inquired on the Ponce Preserve living seawall project and suggested installing  
71 similar seawalls behind the Ponce Inlet Community Center and Fire Station; she questioned  
72 whether there is an available list of grants the Town has applied for or is likely to apply for; and  
73 she asked why the playground at Timothy Pollard Memorial Park is closed. Public participation  
74 was closed.

75  
76 Mr. Disher and Mayor Paritsky clarified the Town's priorities for the upcoming budget are the  
77 only items being discussed currently, and there has been no official suggestion to increase the  
78 millage rate at this time. Mr. Disher provided the next steps in the budget process and stated the  
79 next budget workshop will be held on July 15, 2025 at 10:00 a.m.

80  
81 **7. ADJOURNMENT** – With no further business, Mayor Paritsky adjourned the meeting at  
82 11:08 a.m.

Respectfully submitted by:

Draft

Kim Cherbano, CMC / Town Clerk

Prepared by: Stephanie Gjessing, Deputy Town Clerk

Attachment(s): Mr. Disher's Preliminary Budget Workshop Presentation

Summarization of Key Financial Information presented by Mr. Steve Field



# PRELIMINARY BUDGET WORKSHOP

**June 10, 2025**

1

## OVERVIEW

### Assumptions

- Reserves
- Hurricane Expenses
- Rising Costs
- Utility Fees
- Obligations
- Revenue
- Tax Base
- Tax Base Changes Over Time

### Priorities

- History – Budget meetings to date
- ESAB Recommendation
- Capital Purchases (equipment)
- Capital Projects (construction)
- Maintenance Activities
- Professional Services
- Council Priorities?

### Next Steps

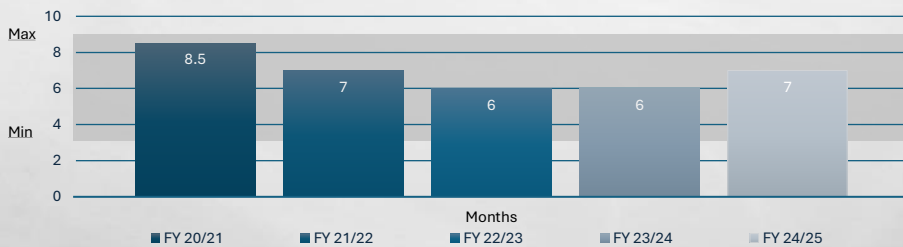
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# ASSUMPTIONS - RESERVES

## Res. 09-04

- Reserves are to be used, "...to mitigate current and future risks such as revenue shortfalls, natural disasters, unanticipated expenditures, and to ensure stable tax rates."
- Requires between 3-9 months of operating funds.

Reserves by Year



# ASSUMPTIONS – 2024 HURRICANE EXPENSES

- Total estimated repair costs = **\$302,898**
- Eligible for reimbursement (insurance and FEMA) = **\$249,541**
- Non-reimbursable = **\$53,357**
  
- Received already from insurance = **\$0.00**
- Awaiting receipt from insurance = **\$35,793**
- Received already from FEMA = **\$57,083**
- Awaiting receipt from FEMA = **\$156,665**
- Total remaining = **\$192,458**

# ASSUMPTIONS – RISING COSTS

## Employee Benefits

- Health insurance: 4.7% increase
- FRS: Regular + 3%  
Special Risk + 7.3%  
Senior Mgmt. + 0.5%
- Wage adjustments of + 3-5% based on CPI and salary survey

## Insurance

- Property Insurance: +10% (projected)
- Overall (liability, general, property, vehicles, worker's comp., cybersecurity, etc.): **TBD**

# ASSUMPTIONS – UTILITY FEES

## FY 23-24

- The Town raised its rates for:
  - Sewer and water/sewer development fees – in response to Port Orange (pass-through). First adjustment since 2015 for sewer, first since 2009 for development fees.
  - Water connection fees – in response to Port Orange.
  - Refuse collection – two-year increase per Waste Pro agreement and notification of costs.

## FY 24-25

- The Town raised its rates for:
  - Sewer and water/sewer development fees – in response to Port Orange (pass-through). Port Orange will raise sewer developments fees again 04-01-26.
  - Base water rate & rate per 1,000 gallons – the 2<sup>ND</sup> of a 5- year schedule of increases effective 11-01-2025.

## FY 25-26

- The Town is expected to raise its rates for:
  - Base water rate & rate per 1,000 gallons – the 3<sup>RD</sup> of a 5-year schedule of increases effective 11-01-2026.
  - Refuse collection – per Waste Pro agreement, increase in landfill dumping fees, and notification of costs.
  - Stormwater utility fee – results of feasibility study to be presented June 2025, with further refinement proposed for FY 25-26. Must be adopted by ordinance. Fee will be offset by reductions elsewhere.

# ASSUMPTIONS – OBLIGATIONS

## Loans

- Stormwater improvements - \$156,586/yr. (20<sup>th</sup> of 20)
- Water system improvements - \$61,828/yr. (9<sup>th</sup> of 20)
- Sewer system upgrade, Phase 1 - \$5.2 million (100% principal forgiveness SRF loan)
- Quint Fire Truck - \$209,839/yr. (1<sup>st</sup> of 7)

## Grant Matches

- Sidewalk project design - \$1,175,000 (15% of total project cost). Begins in 2025 and expected to finish in 2026.

# ASSUMPTIONS – REVENUE

## Property Values

- Preliminary 2025 adjusted taxable value = **\$1,390,102,670**.
- **4.27%** increase over last year's value.
- If millage remains at current rate of 6.4559, would yield **\$8,585,503** (at 95% collection rate).
- This is **\$351,617** more than from the preliminary rolled-back rate of **6.1915** mills.
- Each 0.10 mill is expected to yield **\$132,987**.

# ASSUMPTIONS – TAX BASE

(+/-) = CHANGE FROM LAST YEAR

## Total number of households in Ponce Inlet

Single Family = 1,219 (+9)  
 Condominiums = 1,990  
 Total = 3,209 (+9)

## Number of homesteaded households In Ponce Inlet – 46% of total (-1%)

Single Family = 829 (-3)  
 Condominiums = 645 (-20)  
 Total = 1,474 (-23)

## Number of non-homesteaded households in Ponce Inlet – 54% of total (+1%)

Single Family = 390 (+12)  
 Condominiums = 1,345 (+20)  
 Total = 1,735 (+32)

## Median taxable value of a home in Ponce Inlet

Single Family = \$391,143 (+\$28,253)  
 Condominiums = \$343,012 (+\$4,212)  
 Overall = \$361,253 (+17,695)

# ASSUMPTIONS – TAX BASE CHANGES OVER TIME

	FY 23/24	FY 24/25	FY 25/26
<b>Total number of households</b>			
Single Family	1,199	1,210	1,219
Condominiums	1,990	1,990	1,990
Total	3,189	3,200	3,209
<b>Number of homesteaded households</b>			
Single Family	824	832	829
Condominiums	678	665	645
Total	1,502	1,497	1,474
Percent of total households	47%	47%	46%
<b>Number of non-homesteaded households</b>			
Single Family	375	378	390
Condominiums	1,312	1,325	1,345
Total	1,687	1,703	1,735
Percent of total households	53%	53%	54%
<b>Median taxable home value</b>			
Single Family	\$328,073	\$362,890	\$391,143
Condominiums	\$310,444	\$338,800	\$343,012
Total	\$316,512	\$343,558	\$361,253



# HISTORY – 2025 BUDGET MEETINGS TO DATE

## Essential Services Advisory Board (ESAB)

- January 9, 2025 – Preliminary review of Police, Fire, and Public Works items
- March 6, 2025 – Budget priority list recommendation to Council

## Cultural Services, Historic Preservation, and Tree Advisory Board (CSB)

- January 6, 2025 – Preliminary review of Cultural Services items
- March 3, 2025 – Board recommendation of budget proposals
- June 2, 2025 – Recommendation of potential improvements to Town athletic courts

## Town Council

- June 10, 2025 – preliminary budget workshop

# PRIORITIES – ESAB RECOMMENDATIONS

Priority	Request	Dept.	Cost	Comment
1	Replacement backhoe – 416 Loader Caterpillar	PW	\$135,000	Replacing 20+ year backhoe. Cost to be split 50-50 with General Fund and Water Fund.
2	Old Carriage Road exfiltration system (part of stormwater one-way valve installation, Phase 2)	PW	\$120,480 (total cost)	Contract and bid awarded by Town Council on 9/19/24. Total cost includes \$44,400 in carry-forward funds from FY 24/25.
3	Replacement patrol vehicle – 2025 Ford Explorer	PD	\$50,000	Replacing 2020 Dodge Durango
4	Preliminary needs evaluation for fire station	FD	\$50,000	Will be used to determine best location and prepare cost estimate for design and construction. Construction eligible for 50% match through Resilient Florida program.
	TOTAL		\$355,480	

## PRIORITIES – PURCHASES / EQUIPMENT

PROJECT	2025 Board Recommendation	Town Council goal	FUNDING SOURCE	FY 25-26	COMMENT
<b>Fire</b>					
Buy-out of leased vehicle (July 2026)	✓		GF	\$20,450	2023 Chevy Silverado
<b>Police</b>					
Replacement patrol vehicle – 2025 Ford Explorer	✓		GF	\$50,000	Replacing oldest patrol vehicle (2020 Dodge Durango) including graphics and equipment
<b>Public Works / Water</b>					
416 Loader Caterpillar backhoe	✓		GF / Water	\$135,000	Replacing 20+ year backhoe
Police Department AC replacement		✓	GF	\$48,000	Replacing 19-year-old unit installed with original construction of PD station
Acquisition of undeveloped property for future stormwater improvements		✓	LAF	\$360,000	Will be used to expand existing stormwater capacity in the future. Staff is also seeking grants to match or reimburse costs
Buy-out of leased vehicles (July 2026)	✓		GF / Water	\$40,900	Two 2023 Chevy Silverados @ \$20,450 each
<b>TOTAL</b>				<b>\$654,350</b>	

6/10/25

PRELIMINARY BUDGET WORKSHOP

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## PRIORITIES – PURCHASES / EQUIPMENT



6/10/25

PRELIMINARY BUDGET WORKSHOP

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## PRIORITIES – PROJECTS / CONSTRUCTION

PROJECT	2025 Board Recommendation	Town Council goal	FUNDING SOURCE	FY 25-26	COMMENT
<b>Cultural Services</b>					
Resurface Pollard Park tennis court	✓	✓	GF	\$20,000	Existing court surface is cracked and will become unsafe if not addressed.
<b>Planning &amp; Development</b>					
S. Peninsula sidewalk project	✓	✓	Carry-forward	\$1,175,000	The Town's 15% share of the total project cost = 100% of the costs for survey and design, plus Volusia County staff time. Survey is almost complete, with design to be finished by December 2025. \$82,663 spent to date. Remaining amount is in account reserves for FY 25-26.
<b>Public Works / Water</b>					
Old Carriage Road exfiltration system (part of stormwater one-way valve installation, Phase 2)	✓		GF	\$120,500	Contract and bid awarded by Town Council on 9/19/24. Total cost includes \$44,400 in carry-forward funds from FY 24/25.
Sewer System Upgrade (formerly septic-to-sewer) Phase 1	✓	✓	FDEP Loan	\$5,200,000	1st half of 2-year project. Construction funding from FDEP 100% forgiveness SRF loan.
<b>TOTAL</b>				<b>\$6,515,500</b>	

6/10/25

PRELIMINARY BUDGET WORKSHOP

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## PRIORITIES – PROJECTS / CONSTRUCTION



Source: [https://en.wikipedia.org/wiki/Sanitary\\_sewer](https://en.wikipedia.org/wiki/Sanitary_sewer)



6/10/25

PRELIMINARY BUDGET WORKSHOP

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## PRIORITIES – SERVICES

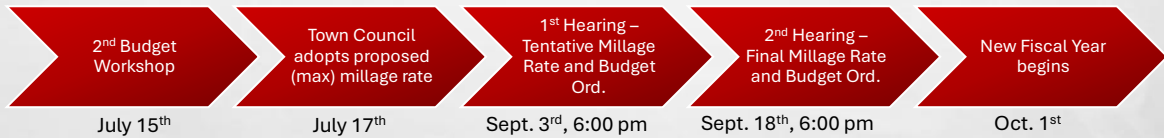
PROJECT	2025 Board Recommendation	Town Council goal	FUNDING SOURCE	FY 25-26	COMMENT
<b>Fire</b>					
Site feasibility study for replacement fire station	✓		LAF	\$50,000	Needed to determine optimal location and site layout configuration, including examination of alternatives. Staff is seeking additional grants funds for design.
<b>Public Works / Water</b>					
Stormwater utility fee Phase 2 (Implementation) study	✓	✓	GF	\$50,000	Needed to finalize utility rates and credits and assist with implementation.
<b>TOTAL</b>				<b>\$100,000</b>	



## COUNCIL PRIORITIES?

1. What is the most important to you for this year's budget?
2. What is the least important to you?
3. What would you like to see included?
4. What would you like to see left out or deferred?

## NEXT STEPS



## QUESTIONS?

## **Summarization of Key Financial Information**

**2.5% Social Security increase for 2025**

**3% Current Year over Year inflation increase**

**17% P. I. Budget increase for current Fiscal Year**

**\$1.609M increase in CASH on hand at last year Fiscal Year end**

**\$645K Total Liabilities decreased at year end 2024**

**5.9 Mileage Rate for Fy2017-2021**

**6.27790 Mileage Rate for last fiscal year which resulted in an  
increase Cash on Hand of \$1.609M at year end**

**6.7473 Mileage rate for this Fiscal Year**

**What do you think Governor DeSantis or DOGE would  
recommend for the upcoming Fiscal Year?**

**I would think reduce the milage rate to a maximum of 5.9**



**Town of Ponce Inlet  
Town Council  
Regular Meeting Minutes  
June 19, 2025**

1     **1.     CALL TO ORDER:** Pursuant to proper notice, Mayor Paritsky called the meeting to order  
2     at 2:00 p.m. in the Council Chambers at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

3  
4     **2.     PLEDGE OF ALLEGIANCE:** Mayor Paritsky led the Pledge of Allegiance.

5  
6     **3.     ROLL CALL:**

7     **Town Council:**

8     Mayor Paritsky, Seat #1

9     Councilmember Milano, Seat #2

10    Councilmember White, Seat #3

11    Councilmember Villanella, Seat #4

12    Vice-Mayor Smith, Seat #5

13  
14    **Staff Members Present:**

15    Ms. Alex, Cultural Services Manager

16    Ms. Cherbano, Town Clerk

17    Mr. Disher, Town Manager

18    Ms. Gjessing, Deputy Town Clerk

19    Chief Glazier, Police Chief

20    Ms. Hall, Assistant Finance Director

21    Ms. Hugler, Fire Department Office Manager/PIO

22    Mr. Lear, Planning & Development Director

23    Ms. McColl, Finance Director

24    Mr. Okum, IT Director

25    Ms. Rippey, Principal Planner

26    Chief Scales, Public Safety Director

27    Attorney Shepard, Town Attorney

28    Mr. Wargo, Public Works Director

29  
30    Mayor Paritsky recognized the recent loss of resident, Mr. Mike Kaszuba. She spoke on his many  
31    contributions to the Town including serving as Chair of the Planning Board, and expressed her  
32    sincere sympathy to his wife, Sharone, and their family.

33  
34    **4.     ADDITIONS, CORRECTIONS, OR DELETIONS TO THE AGENDA:** Item 8-A and  
35    Item 13-D were added to the agenda.

36  
37    Mayor Paritsky moved to approve the agenda as amended; seconded by Councilmember Milano.  
38    The motion PASSED 5-0, consensus.

40 **5. CITIZENS PARTICIPATION:** Mayor Paritsky opened citizens participation – Ms.  
41 Cathy Harvey, 5967 Haydens Crossing Blvd., voiced her appreciation for the Town of Ponce Inlet  
42 and congratulated the Mayor and Councilmembers on their re-elections. Mayor Paritsky closed  
43 citizens participation.  
44

45 **6. PROCLAMATIONS, PRESENTATIONS, AND AWARDS:**  
46

47 **A. Update on hurricane season preparation activities.** – Chief Scales provided a  
48 presentation on the 2025 hurricane season. He described the proactive measures taken by staff to  
49 ensure the Town is well prepared and noted what the Town’s vulnerabilities are. Preparations  
50 include clearing and inspecting the stormwater system, installing new generators at the Community  
51 Center, Public Works, and the fire station, ensuring all Town departments are ready for  
52 emergencies, and more. He said Public Works will be implementing “*Sandbag Saturdays*,” where  
53 residents will be able to fill up sandbags at least one Saturday a month during hurricane season;  
54 more information is to come. Chief Scales continued discussion on power outages, Town  
55 resources, and communicating public information. He emphasized the importance of residents  
56 being prepared for emergencies, including having evacuation plans. He described post-storm  
57 recovery planning including debris removal, protocols for FEMA and F-ROC, and damage  
58 assessment procedures. He then introduced Mr. Clint Mecham, Volusia County Division of  
59 Emergency Management Director, who provided a presentation on Volusia County’s hurricane  
60 preparation. He provided a recap on the 2024 hurricane season, an overview on hurricane  
61 formations and how they are categorized, and reviewed the 2025 Atlantic hurricane outlook. Mr.  
62 Mecham then showed a history of storm activity throughout the state, made recommendations on  
63 evacuations, and provided information on local shelters. He stated Ponce Inlet is located within  
64 evacuation “Zone A” and encouraged anyone needing special attention for medical reasons to  
65 register in advance with the Florida Health Special Needs Registry. Mr. Mecham informed  
66 residents there is an app available for download through Volusia County Emergency Management  
67 to stay informed and to help with reporting damage post-storm events. He elaborated on damage  
68 assessments, pet-friendly shelters, hurricane formations, road flooding, and traffic evacuation  
69 routes. Chief Scales noted resident passes help to allow people over the bridge, however if the  
70 bridges are closed for safety, the passes will not guarantee admittance.  
71

72 **B. Mayor’s Proclamation report.** – Mayor Paritsky presented a proclamation  
73 declaring the month of June 2025 as *Park and Recreation Month*.  
74

75 **7. CONSENT AGENDA:** Mayor Paritsky asked if there was any item Council would like to  
76 remove from the consent agenda; there were no requests. Mayor Paritsky asked if there were any  
77 requests from the public – there were none.  
78

79 **A. Request to declare Konica Minolta copier as surplus property.**  
80

81 **B. Approval of the Town Council Regular meeting minutes – May 15, 2025.**  
82

83 Mayor Paritsky moved to approve the Consent Agenda as presented; seconded by Councilmember  
84 Villanella. The motion PASSED 5-0, consensus.  
85



86 **8. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE**  
87 **MEETING:**  
88

89 **A. Grants and loans not affecting tax rates.** – Mr. Disher presented a list of grants  
90 the Town has applied for to help with expenses for various projects which do not affect the Town’s  
91 tax rates. This list came by request from a resident that attended the June 10, 2025 Preliminary  
92 Budget Workshop. Mr. Disher detailed the amount, status, and expected receipt of funds for each  
93 project. He noted projects including the Sewer System Upgrade, the stormwater pond expansions,  
94 and Old Carriage Road drainage improvements as recommended per the Watershed Master Plan.  
95 Vice-Mayor Smith questioned whether the Town would be able to guarantee the purchase of the  
96 four vacant lots for the purpose of expanding the stormwater ponds. Mayor Paritsky opened public  
97 participation – hearing none, public participation was closed.  
98

99 **9. PUBLIC HEARINGS / QUASI-JUDICIAL MATTERS:**  
100

101 Prior to discussion, Attorney Shepard reviewed the purpose and proper procedure of public  
102 hearings and quasi-judicial matters. The Councilmembers had no correspondence to disclose.  
103 Items 9-A and 9-B were discussed together and voted upon separately.  
104

105 **A. Ordinance 2025-04 – 1<sup>st</sup> Reading – Amending the official zoning map**  
106 **designation of 4784 S. Peninsula Drive from “C” (Conservation) to “R-1” (Low-Density**  
107 **Single-Family Residential).** Attorney Shepard read Ordinance 2025-04 by title only. **AN**  
108 **ORDINANCE OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA,**  
109 **REZONING AND CHANGING THE ZONING MAP DESIGNATION OF A PORTION OF**  
110 **REAL PROPERTY LOCATED ON THE WEST SIDE OF SOUTH PENINSULA DRIVE**  
111 **BETWEEN CALUMET AVENUE AND INLET HARBOR ROAD, TOTALING .57**  
112 **ACRES, MORE OR LESS, FROM CONSERVATION (C) TO LOW DENSITY SINGLE**  
113 **FAMILY RESIDENTIAL (R-1); PROVIDING FOR FINDINGS AND INTENT;**  
114 **REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR**  
115 **SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**  
116

117 **B. Ordinance 2025-05 – 1<sup>st</sup> Reading – Amending the official zoning map**  
118 **designation of parcel ID# 6430-00-01-0091, located on the west side of S. Peninsula Drive**  
119 **between Calumet Avenue and Inlet Harbor Road, from “C” (Conservation) to “R-1” (Low-**  
120 **Density Single-Family Residential).** Attorney Shepard read Ordinance 2025-05 by title only. **AN**  
121 **ORDINANCE OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA,**  
122 **REZONING AND CHANGING THE ZONING MAP DESIGNATION OF A PORTION OF**  
123 **REAL PROPERTY LOCATED ON THE WEST SIDE OF SOUTH PENINSULA DRIVE**  
124 **BETWEEN CALUMET AVENUE AND INLET HARBOR ROAD, TOTALING .46**  
125 **ACRES, MORE OR LESS, FROM CONSERVATION (C) TO LOW DENSITY SINGLE**  
126 **FAMILY RESIDENTIAL (R-1); PROVIDING FOR FINDINGS AND INTENT;**  
127 **REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR**  
128 **SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**  
129

130 Mr. Lear provided a presentation on the two re-zoning requests to amend the Official Zoning Map  
131 designation for the property located at 4784 S. Peninsula Drive (Parcel 1) and the vacant parcel

adjacent to the north of 4784 S. Peninsula Drive with the parcel ID 6430-00-01-0091 (Parcel 2), from “C” (Conservation) to “R-1” (Low Density Single-Family). He explained that both parcels have a future land use designation of Low Density Single-Family Residential (LDR) and a conflicting zoning designation of Conservation “C”; the surrounding properties have future land use designations of LDR and zoning designation of R-1. Mr. Lear reviewed the history of the parcels’ zoning designations and reviewed the criteria necessary for approval. He stated on April 22, 2025, the Planning Board reviewed the re-zoning requests and unanimously recommended approval as all criteria have been met for both cases. There was clarification that the rezoning would make the parcels viable building lots; the vacant lot is not wetlands; and the two parcels in question previously were not interested in changing zoning designations when the surrounding properties had applied to similarly rezone their lots. Mayor Paritsky opened public participation – Mayor Paritsky acknowledged comments regarding opposition to the zoning changes that were posted on the *Nextdoor* webpage. Mayor Paritsky closed public participation.

Mayor Paritsky moved to approve proposed Ordinance 2025-04, amending the official zoning map designation of 4784 S. Peninsula Drive from “C” (Conservation) to “R-1” (Low-Density Single-Family Residential), upon first reading; seconded by Councilmember White. The motion PASSED, 5-0 with the following vote: Mayor Paritsky – yes; Councilmember White – yes; Councilmember Milano – yes; Councilmember Villanella – yes; Vice-Mayor Smith – yes.

Mayor Paritsky moved to approve proposed Ordinance 2025-05, amending the official zoning map designation of parcel ID# 6430-00-01-0091, located on the west side of S. Peninsula Drive between Calumet Avenue and Inlet Harbor Road, from “C” (Conservation) to “R-1” (Low-Density Single-Family Residential), upon first reading; seconded by Councilmember Villanella. The motion PASSED, 5-0 with the following vote: Mayor Paritsky – yes; Councilmember Villanella – yes; Councilmember Milano – yes; Councilmember White – yes; Vice-Mayor Smith – yes.

## **10. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS:**

**A. Ordinance 2025-03.** Attorney Shepard read Ordinance 2025-03 by title only. **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA AMENDING CHAPTER 78, ARTICLE II, DIVISION 2 OF THE CODE OF ORDINANCES TO AUTHORIZE THE ADMINISTRATIVE RESOLUTION OF CUSTOMER BILLING DISPUTES UP TO CERTAIN MAXIMUM AMOUNT, AND TO UPDATE THE REQUIRED INSPECTION AND TESTING PERIOD FOR BACKFLOW PREVENTION DEVICES TO BE CONSISTENT WITH THE FLORIDA ADMINISTRATIVE CODE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** – Mr. Disher stated Ordinance 2025-03 is a product of discussions from the last regularly scheduled Town Council meeting involving utility billing disputes and testing of backflow prevention devices. There were no changes to this item since the first reading of the ordinance. Mayor Paritsky opened public participation – hearing none, public participation was closed.

*Councilmember Villanella moved to approve proposed Ordinance 2025-03, authorizing the administrative resolution of customer billing disputes and updating cross-connection control regulations, upon second reading; seconded by Councilmember Milano. The motion PASSED, 5-0 with the following vote: Councilmember Villanella – yes; Councilmember Milano – yes; Mayor Paritsky – yes; Councilmember White – yes; Vice-Mayor Smith – yes.*

## **11. ORDINANCES (FIRST READING) AND RESOLUTIONS:**

**A. Resolution 2025-04.** Attorney Shepard read Resolution 2025-04 by title only. **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA AMENDING PORTIONS OF APPENDIX A (FEES, RATES AND CHARGES) OF THE TOWN CODE OF ORDINANCES, PART X - WATER SERVICE; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** – Mr. Disher stated Resolution 2025-04 establishes the certain maximum dollar amount (up to \$300) staff may refund to utility customers to resolve a billing dispute, as referenced in the adopted Ordinance 2025-03. Any disputes over \$300 must be brought to the Town Council to be resolved. Councilmember Milano commented on guaranteeing contact is made with property owners when unusual activity is detected. Mayor Paritsky opened public participation – hearing none, public participation was closed.

*Councilmember White moved to approve Resolution 2025-04, establishing a maximum amount of \$300 for the administrative resolution of utility customer billing disputes; seconded by Councilmember Milano. The motion PASSED, 5-0 with the following vote: Councilmember White – yes; Councilmember Milano – yes; Mayor Paritsky – yes; Councilmember Villanella – yes; Vice-Mayor Smith – yes.*

**B. Resolution 2025-05.** Attorney Shepard read Resolution 2025-05 by title only. **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, AUTHORIZING A TRANSFER OF APPROPRIATIONS WITHIN THE TOWN'S BUDGET FOR FISCAL YEAR 2024-2025; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** – Mr. Disher stated during the mid-year period, staff evaluates unmet needs and unspent funds to determine whether a transfer of appropriations is necessary to reflect operational needs through the remainder of the fiscal year. Staff is requesting a total of \$250,725 in budget transfers to address areas experiencing unanticipated operational requirements; there is no net impact on the overall budget. He noted two items in particular that the transfer of appropriations will address: the purchase of the replacement backhoe this fiscal year and firefighter overtime. Councilmember White questioned the original allocation of funds for the Police Department and Mr. Disher explained it was for a vacant position. Councilmember White had questions on the overtime usage and how it relates to projected FEMA reimbursements from Hurricane Milton; he provided comments on the firefighters' schedules and suggested holding a discussion in the future to discuss the operation of shifts and overtime usage. Attorney Shepard clarified what is and is not allowed to be discussed outside of a collective bargaining session with the Fire Union meeting. Mayor Paritsky opened public participation – hearing none, public participation was closed.

*Councilmember White moved to approve Resolution 2025-05 as presented; seconded by Councilmember Villanella. The motion PASSED, 5-0 with the following vote: Councilmember White – yes; Councilmember Villanella – yes; Mayor Paritsky – yes; Councilmember Milano – yes; Vice-Mayor Smith – yes.*

**C. Resolution 2025-06.** Attorney Shepard read Resolution 2025-06 by title only. A **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA; AMENDING RESOLUTION 2018-03 REGARDING APPLICANT REQUIREMENTS AND TOWN COUNCIL PROCEDURE FOR APPOINTMENT OF BOARD MEMBERS; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** – Ms. Cherbano stated staff implemented the changes that were presented to the Town Council at the May 15, 2025 regularly scheduled meeting. These changes include modifications to the resolution governing board appointment procedures and subsequently updating all Board by-laws and applications to reflect the updated resolution. In addition to these changes, the Cultural Services Board by-laws have been revised for the regular meetings to begin at 10:00 AM instead of 5:30 PM. This came by the unanimous request of the Board from its March 3, 2025 regularly scheduled meeting. Mayor Paritsky opened public participation – hearing none, public participation was closed.

*Councilmember Villanella moved to approve Resolution 2025-06, the updated Board application forms, and the updated Board by-laws as presented; seconded by Councilmember Milano. The motion PASSED, 5-0 with the following vote: Councilmember Villanella – yes; Councilmember Milano – yes; Mayor Paritsky – yes; Councilmember White – yes; Vice-Mayor Smith – yes.*

## **12. OLD BUSINESS:**

**A. Interlocal Agreement between the Town and Volusia County for storm debris management on CR 4075 (South Atlantic Avenue).** Tabled at the May 15, 2025 regular Council meeting. – *Mayor Paritsky moved to take this item from the table for further discussion; seconded by Councilmember Milano. The motion PASSED 5-0, consensus.* Chief Scales stated Volusia County confirmed they would be responsible for maintaining the Beach Street ramp, not the Town. Volusia County also confirmed they will not reimburse the Town in lieu of FEMA providing reimbursements for debris pickup on South Atlantic Avenue (CR 4075). Chief Scales stated this agreement helps to coordinate debris pickup all around Town at the same time. Councilmember Milano recommended increasing the Town's operating reserves to the maximum in case reimbursements do not continue from FEMA. Mayor Paritsky opened public participation – hearing none, public participation was closed.

*Councilmember Villanella moved to approve the Interlocal Agreement as presented and authorize the Mayor and Town Manager to execute the agreement; seconded by Councilmember Milano. The motion PASSED, 5-0 with the following vote: Councilmember Villanella – yes; Councilmember Milano – yes; Mayor Paritsky – yes; Councilmember White – yes; Vice-Mayor Smith – yes.*

269 **13. NEW BUSINESS:**

270 **A. Award of bid for the Ponce Inlet Adaptation Plan (RFQ No. 2025-04).** – Ms.  
271 Rippey explained the Ponce Inlet Adaptation Plan builds upon the Town’s Vulnerability  
272 Assessment and the Watershed Master Plan, which were completed for resiliency planning. She  
273 described the purpose of the Plan and the necessary steps taken towards greater resiliency. Brizaga,  
274 Inc. responded to Request for Qualifications (RFQ) No. 2025-04 and Ms. Rippey explained how  
275 their qualifications will provide practical solutions to address frequent flooding and the Town’s  
276 resiliency goals. Representatives from Brizaga, Inc. were in attendance. Mr. Disher informed the  
277 Councilmembers this project is being funded through a \$50,000 grant received from the State of  
278 Florida. Mayor Paritsky opened public participation – hearing none, public participation was  
279 closed.

280  
281 Councilmember Villanella moved to award RFQ No. 2025-04 to Brizaga, Inc. for the Ponce Inlet  
282 Adaptation Plan; seconded by Councilmember Milano. The motion PASSED 5-0, consensus.  
283

284 **B. Request to purchase a 3CX-14 Super Backhoe Loader from JCB, Inc.** – Mr.  
285 Wargo stated following Council suggestions from the June 10, 2025 Preliminary Budget  
286 Workshop, staff is requesting to purchase a replacement backhoe within the current fiscal year. He  
287 provided a history of the 20-year old backhoe the department currently utilizes and the costly  
288 repairs that have been completed to keep it functioning. A discussion ensued regarding the terms  
289 of the contract, anticipated delivery date, and features of the new backhoe. Mayor Paritsky  
290 requested the approval of this purchase be contingent on attorney review of the contract. Mayor  
291 Paritsky opened public participation – hearing none, public participation was closed.

292  
293 Councilmember Milano moved to approve the purchase of the 3CX-14 Super Backhoe Loader from  
294 JCB, Inc. for \$122,000 and authorize the Town Manager to execute all associated agreements,  
295 contingent on attorney review of contract for legal form and content; seconded by Councilmember  
296 Villanella. The motion PASSED 5-0, consensus.  
297

298 **C. Discussion – Evaluation of athletic court usage and future facility**  
299 **improvements.** – Ms. Alex provided a brief history on this item and the events that led to this  
300 discussion. At the June 2, 2025 Cultural Services Board meeting, the Board discussed potential  
301 improvements to the athletic courts and how best to utilize the \$180,000 funds provided to the  
302 Town as a “signing bonus” from the recently approved amended and restated lease agreement with  
303 New Cingular Wireless PCS, LLC. Ms. Alex presented an analysis based on data collected through  
304 the Town’s court reservation software and security cameras. She provided average usage estimates  
305 for all athletic courts and determined that while the trends show clear preference for days and  
306 times, all the courts are being used regularly. The Cultural Services Board recommended making  
307 no changes to the Town’s athletic courts. Mr. Disher addressed a previous question from  
308 Councilmember White on creating a fund to set aside the \$180,000; Mr. Disher stated the Town’s  
309 recreation impact fee fund is established for purposes such as that. Mayor Paritsky opened public  
310 participation – hearing none, public participation was closed.

311  
312 Councilmember White made a motion to transfer the \$180,000 “signing bonus” from New  
313 Cingular Wireless PCS, LLC. into the recreation impact fee fund; seconded by Councilmember  
314 Milano.

Mr. Shannon White, 39 Coastal Oaks Circle, commended Ms. Alex for her presentation and the data compiled from it.

The motion PASSED 5-0, consensus.

**D. Update on the Volusia League of Cities venue for hosting the 2025 December dinner.** – Ms. Hugler stated the Town is tasked with hosting the Volusia League of Cities dinner every three years, and she provided a brief history on what occurred the last time the Town hosted. She stated this year the dinner will be hosted in the open field at the Pacetti Hotel. She described the layout of the venue, the food to be catered, and the transportation details. Mayor Paritsky opened public participation – hearing none, public participation was closed.

Council consensus to approve the event details of the 2025 Volusia League of Cities Dinner as presented.

#### **14. FROM THE TOWN COUNCIL:**

**A. Vice-Mayor Smith, Seat #5** – Vice-Mayor Smith expressed his appreciation for his re-election and thanked the individuals who have volunteered to serve as the Emergency Operations Center's (EOC) representatives for the Town.

**B. Councilmember Villanella, Seat #4** – Councilmember Villanella congratulated Mayor Paritsky, Vice-Mayor Smith, and Councilmember White on their re-elections.

**C. Councilmember White, Seat #3** – Councilmember White thanked the residents for his re-election and congratulated Mayor Paritsky and Vice-Mayor Smith on their re-elections. He thanked staff for their on-going assistance and commented on the Cybersecurity training he recently attended. Councilmember White stated he is looking forward to his involvement with the Florida League of Cities Advocacy Committee and described its purpose.

**D. Councilmember Milano, Seat #2** – Councilmember Milano congratulated everyone on their re-elections and provided an update to the First-Step Shelter's statistics.

**E. Mayor Paritsky, Seat #1** – Mayor Paritsky congratulated Vice-Mayor Smith and Councilmember White on their re-elections, and thanked residents for her re-election as Mayor. On May 21, Mayor Paritsky attended the Florida Fish and Wildlife Commission meeting where she spoke in opposition of the proposed black bear hunt; the Commission voted 4-1 to move forward with new rules for a managed Florida black bear hunt. She provided key points to the hunt and stated she is collaborating with the Humane Society and its legal team to advocate for less drastic measures, citing enforcement and animal welfare concerns. Mayor Paritsky provided information presented from the Volusia Delegation on the new Florida House Select Committee on Property Taxes; she stated if property taxes are reduced, as proposed through significant reforms for the 2026 ballot, alternative revenue sources will be needed. She provided information from her membership of the American Flood Coalition Executive Committee, mentioned the new FEMA Review Council, and updated everyone on the efforts of the Stormwater Management and Flooding Subcommittee under the Volusia Elected Officials Roundtable. Mayor Paritsky noted

her upcoming attendance at the Florida Flood Plain Managers Annual Conference and the Florida League of Cities Annual Conference and requested a consensus for her to be appointed as the voting delegate for Ponce Inlet.

Council consensus to appoint Mayor Paritsky as the voting delegate for Ponce Inlet at the Florida League of Cities Annual Conference.

**15. FROM THE TOWN MANAGER** – Mr. Dishar stated the two customer service counters located in Town Hall will be replaced soon. He recognized the volunteers that helped create and distribute the native plant markers located across Town parks and he reminded everyone there will be a Special Town Council meeting on Wednesday, June 25, 2025 to discuss the Town's stormwater utility feasibility study.

**16. FROM THE TOWN ATTORNEY** – No further comments.

**17. PUBLIC PARTICIPATION (on items 14 – 16 only)** – Mayor Paritsky opened public participation – hearing none, public participation was closed.

**18. ADJOURNMENT** – Mayor Paritsky adjourned the meeting at 4:28 P.M.

Respectfully submitted by:

Draft

Kim Cherbano, CMC, Town Clerk

Prepared by: Stephanie Gjessing, Deputy Town Clerk

Attachment(s): Grants/Loans Not Affecting Tax Rates Chart

## Grants/Loans Not Affecting Tax Rates

Project	Grant/Loan	Amount	Expected Receipt of \$	Match Amount	Status
Sewer System Upgrade - Construction	FDEP 100% principal forgiveness loan	\$10.4 million	Monthly, upon receipt of invoice	0%, \$0	Loan agreement signed by both parties Oct. 2024. Additional revisions under review by FDEP
Ponce Preserve living seawall	Partnership with ERAU, NSF grant	\$500,000	Monthly, upon receipt of invoice	0%, \$0 (staff time only)	Decision on grant in July/August
Fire Station design	Legislative appropriation	\$500,000	Reimbursed upon completion	50%, \$500,000 (Land Acquisition Fund)	Included in state budget, subject to Gov. veto
Stormwater pond expansion, purchase up to 4 lots	Transform386	\$1.2 million	1 year from application	26.66%, \$320,000 (Land Acquisition Fund)	Application submitted May 30. Award decision anticipated 3-4 mos.
Old Carriage Rd. drainage improvements per WMP	FDEM's Hurricane Loss Mitigation Program (HLMP)	\$250,000	Reimbursed upon completion	0%, \$0	Application submitted April 14 <sup>th</sup> . Award decision anticipated after July 1 <sup>st</sup>
Hurricane Milton reimbursement	FEMA	\$254,477 (eligible costs)	1-2 years from application	\$35,793 (Insurance) \$4,935 (Town)	\$57,084 received from FEMA to date. \$122,119 expected from FEMA June 23 <sup>rd</sup>
		<b>\$13,104,477</b>			





**Town of Ponce Inlet  
Town Council  
Special Meeting Minutes  
June 25, 2025**

1 **1. CALL TO ORDER:** Pursuant to proper notice, Mayor Paritsky called the meeting to order  
2 at 2:00 p.m. in the Council Chambers at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

3  
4 **2. PLEDGE OF ALLEGIANCE:** Mayor Paritsky led the Pledge of Allegiance.

5  
6 **3. ROLL CALL:**

7 **Town Council:**

8 Mayor Paritsky, Seat #1

9 Councilmember Milano, Seat #2

10 Councilmember White, Seat #3

11 Councilmember Villanella, Seat #4

12 Vice-Mayor Smith, Seat #5

13  
14 **Staff Members Present:**

15 Ms. Alex, Cultural Services Manager

16 Mr. Disher, Town Manager

17 Ms. Gjessing, Deputy Town Clerk

18 Chief Glazier, Police Chief

19 Ms. Hall, Assistant Finance Director

20 Ms. Hugler, Fire Department Office Manager/ PIO

21 Ms. McColl, Finance Director

22 Mr. Okum, IT Director

23 Chief Scales, Public Safety Director

24 Mr. Wargo, Public Works Director

25  
26 **4. Town of Ponce Inlet's Stormwater Utility Feasibility Study presented by Raftelis**  
27 **Financial Consultants, Inc.** – Mr. Disher explained this study stems from ongoing discussions  
28 on establishing a stormwater utility, noting that Ponce Inlet is the only jurisdiction in Volusia  
29 County that does not currently have one. The creation of a stormwater utility provides a dedicated  
30 source of revenue to fund stormwater related maintenance operations and more. A brief discussion  
31 ensued regarding the history surrounding the need for a feasibility study, the recommendations  
32 gathered from Boards and the Town Council, and the implementation to begin the study. Mr.  
33 Disher introduced Ms. Christina Conchilla, Raftelis Financial Consultants, Inc., who appeared via  
34 Microsoft Teams and provided a presentation regarding the Town's stormwater utility feasibility  
35 study. The purpose of establishing a stormwater utility includes meeting regulatory requirements,  
36 improving water quality and operation/maintenance of the stormwater system, reducing flooding,  
37 and mending or replacing aging infrastructure. She explained impervious areas do not allow  
38 infiltration of stormwater into the ground and therefore when completing a study, the number of  
39 impervious areas makes a significant difference. Raftelis, Inc. randomly sampled 400 single-

40 family residences (SFR) in Town to compile impervious area data. This data forms the billing unit,  
41 also known as the Equivalent Residential Unit (ERU). Due to the data collected, the Town is  
42 presented with two options: implement a flat rate fee for all residents or “tier” the properties based  
43 on their impervious area. She further explained the difference between the two options, elaborated  
44 on the estimations, and described the difference in analyzing a single-family home versus all other  
45 classes. Councilmember White and Vice-Mayor Smith questioned what would happen for  
46 properties which are disproportionately contributing or not contributing to the overall stormwater  
47 concerns; Ms. Conchilla stated there are appeal processes for outlying properties. Ms. Conchilla  
48 stated jurisdictions tend to favor the flat rate option instead of the tiering system. She reviewed  
49 State and Federal stormwater regulatory requirements which the stormwater utility addresses and  
50 the operations and maintenance which will be funded through the utility. She showed the projected  
51 funding options, rate comparisons to other jurisdictions, and discussed non-ad valorem assessment  
52 billing versus utility billing. The non-ad valorem assessment billing would be conducted through  
53 Volusia County and individuals would be billed annually in conjunction with their property taxes.  
54 The utility billing option would include a new line item on the Town’s monthly water and sewer  
55 bills. Ms. Conchilla reviewed the next steps on the Phase 2 implementation scope.

56  
57 Mr. Disher questioned whether a public hearing would be held annually if the Town chose the  
58 non-ad valorem assessments. Ms. Conchilla explained a public hearing would only need to be held  
59 if the rate were to change; she recommended the Town Council adopt a range in rates so if  
60 incremental changes are made, a public hearing is not required each time. Mayor Paritsky inquired  
61 about past impacts of new legislation imposed by the Florida legislature related to stormwater  
62 maintenance and enterprise funds. Ms. Conchilla responded that, in her experience, there has not  
63 been a large imposition on rate capping and while some requirements become cumbersome, they  
64 are typically willing to work on a schedule with communities. Councilmember Villanella  
65 questioned whether a subdivision designed with substantial stormwater control would reduce  
66 demand on the system; Ms. Conchilla confirmed such a subdivision would be provided with a  
67 reduction in their fee. Councilmember White inquired on funding options and timelines and  
68 questioned how frequently customers request their water be shut off when they leave Town or  
69 request credit for such reasons. Councilmember Milano commented on the unknown longevity of  
70 FEMA and the billing options. Mayor Paritsky opened public participation – Mr. Steve Field, 6  
71 Mar Azul, questioned the implementation timeline, the cost of the project, and minimum water  
72 uses. He questioned the administrative effort that will be required and asked if the Las Olas  
73 subdivision would be exempt for having their own water retention systems in place; Mr. Disher  
74 clarified places including Las Olas and Harbour Village will not be exempt, however they will  
75 receive credit. Ms. Barbara Davis, Ponce Inlet resident, encouraged using a flat rate and the non-  
76 ad valorem assessment.

77  
78 Councilmember White stated he is inclined to select the monthly tier billing system but inquired  
79 on the additional administrative efforts behind this option. A discussion between Ms. Hall and the  
80 Town Council included the projected administrative efforts, the difference in process between an  
81 annual fee versus monthly fee, and the information that would be required to properly assess each  
82 property. Councilmember Milano commented on the additional burden that would fall to condo

associations if the fee were billed monthly. Vice-Mayor Smith asked if the Town's cashflow would be affected with the monthly billing and Councilmember White questioned the timeline of when the Town would begin to receive funds, depending on which billing option is selected. Ms. Christine Pierce, 66 Inlet Harbor Road, suggested the Town create a database compiled of all residents and bill everyone directly, monthly. Mr. Steve Field, 6 Mar Azul, inquired whether this would be sent as a separate bill monthly or added to the existing utility bill; he also voiced his recommendation to see this fee on the tax bill. Ms. Conchilla stated through observation over the years, the direct monthly billing system is less effective as there are no enforcement procedures in place to guarantee payment; she stated the most effective methodology has been the non-ad valorem assessment. Ms. Hall explained a general assumption on the additional administrative work that would go into a monthly billing system. Mayor Paritsky voiced her support for an annual billing system as the burden would fall to Volusia County to collect and enforce payment instead of putting the additional burden and cost on the Town staff. Discussions continued on monthly versus annual billing, the potential impact on the annual tax rate, and enforcement options. Mr. Craig Sandman, 37 Ocean Way Drive, voiced his support for annual billing. Mr. Steve Field, 6 Mar Azul, inquired about the Town's history of placing liens on properties for unpaid tax bills; Vice-Mayor Smith clarified Volusia County implements their own liens for delinquent tax bills. Councilmember White questioned the Town's overall responsibilities if Volusia County were to implement the annual billing. Councilmember Milano spoke in favor of the annual billing option and questioned whether the decision must be made now; Ms. Conchilla stated the billing methodology would need to be determined by January 1, 2026.

*Council consensus to include the proposed Phase 2 stormwater utility implementation plan in the FY 25/26 budget.*

The Town Council briefly discussed gathering information from surrounding municipalities on which billing method they use or would recommend.

**5. ADJOURNMENT** – With no further business, Mayor Paritsky adjourned the meeting at 3:40 PM.

Respectfully submitted by:

*Draft*

Kim Cherbano, CMC / Town Clerk

Prepared by: Stephanie Gjessing, Deputy Town Clerk

Attachment(s): Stormwater Utility Feasibility Study Presentation by Raftelis, Inc.



# Town of Ponce Inlet

## Stormwater Feasibility Study

June 25, 2025



1

## What is a Stormwater Utility?

**Town wants to establish a new enterprise fund that provides a stable, dedicated, equitable source of funding for:**

- Meeting State and Federal stormwater regulatory requirements
- Operation and maintenance of the stormwater system
- Improving water quality
- Reducing flooding
- Repairing and replacing aging infrastructure

2

2



## Impervious Area Rate Structure

- Impervious Area (IA) is industry standard
- ~72% of utilities in Florida use IA based rate structure
- Rational Nexus

3

## Impervious Area Defined

- Hard surfaces that don't allow infiltration of stormwater into the ground. Examples include:
  - Rooftops
  - Driveways
  - Patios
  - Private Sidewalks
  - Parking Lots
  - Compacted gravel
- Excluded: swimming pool water, open graded aggregate and landscaping gravel



4

## Customer Classes

- Developed properties were placed into one of the following customer categories based upon Volusia County Property Appraiser Data:
  - Single-family residential (SFR)
  - Multi-family residential (MFR) – condominiums
  - Single-family attached (SFA) – townhomes
  - Non-single family residential (NSFR) - commercial, institutional and industrial properties

5

## Single Family Residences (SFRs)

- Volusia County Tax Parcel Data
- Single dwelling unit on individually owned lot
- ~1,200 SFR properties
- Raftelis randomly sampled 400 SFR properties and got IA data



6

# Equivalent Residential Unit (ERU)



- Billing unit for IA based rate structures



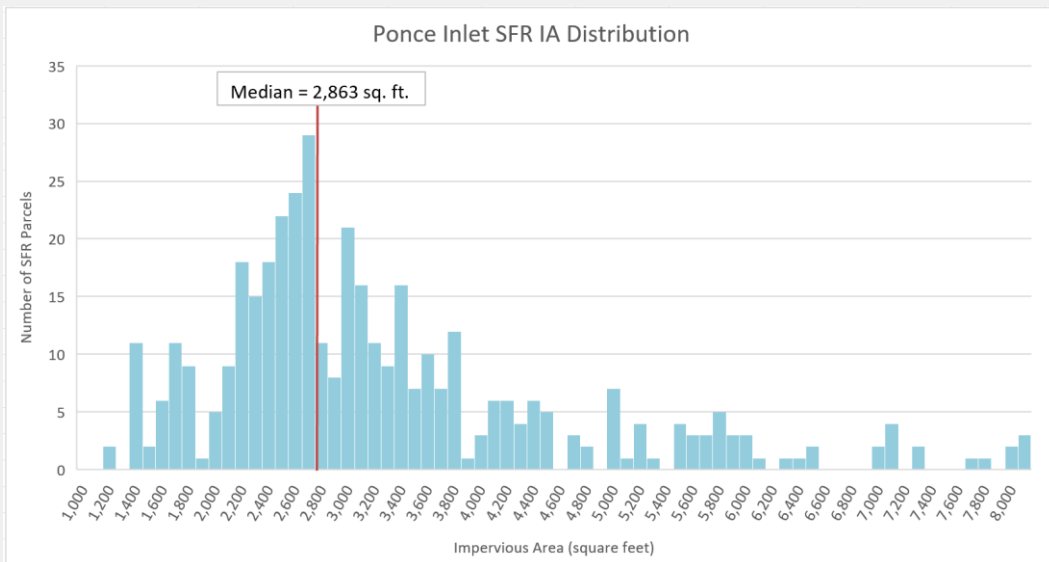
- Community specific



- Median IA on Single-family residential (SFR) properties

7

## SFR Impervious Area Distribution



8

8

## SFR Rate Structure

- Impervious Area characteristics are fairly similar within service area
- Flat Rate – 1 ERU for feasibility analysis OR
- Tiering – could consider placing SFRs into one of three tiers – high, medium, low during implementation phase:
  - Can improve equity in this class
  - Can increase administrative burden

9

## Impervious Area/Units of Service Estimation Process

- Volusia County Property Appraiser Computer Assisted Mass Appraisal (CAMA) data – tabular impervious area data – good for estimation, not accurate enough for billing
- Condos – additional CAMA data computations required



10



## Other Proposed Rate Structures

- SFA – Single family attached or Townhomes – single residence on single lot but ALSO a shared common area space/parcel. IA from common area should be equally allocated amongst dwelling unit parcels
  - Flat rate – 1 ERU per residence OR could develop class wide average ERU during implementation phase
- NSFR – Non-single family residential – multi-family (MFR), commercial, industrial, institutional
  - Total IA divided by ERU value to calculate billable ERUs
  - For multi-family total ERUs may be further allocated amongst dwelling units

11

## Estimated Units of Service

Customer Class	Sum of ERUs	Sum of Estimated IA	Count of PARID
NSFR	109	256,105	49
SFR	1,219		1,219
MFR	403	1,115,734	2,025
SFA	12		13
<b>Grand Total</b>	<b>1,743</b>	<b>1,371,839</b>	<b>3,306</b>

12

# Revenue Requirements and Rates



13

13

## What can a Stormwater Utility *fund*?

- Regulatory requirements
- Operations & Maintenance (O&M) of Stormwater System
- Capital Improvement Projects – depending on funding level
- Reserves



14

14

# What will the Stormwater Utility fund?

## Regulatory Requirements

### National Pollution Discharge Elimination System (NPDES) – Municipal Separate Storm Sewer System (MS4) Permit

- Driver for much of the City's stormwater program and revenue needs.
  - Unfunded federal mandate
  - Annual Reporting
  - Compliance required and audited
  - Cycle V Forthcoming with New Additional Requirements

#### MS4 Permit Requires Implementation, Tracking and Reporting on all 6 Minimum Control Measures

1) Public Education and Outreach

2) Public Involvement and Participation

3) Illicit Discharge Detection and Elimination (IDDE)

4) Construction Site Runoff Controls

5) Post-Construction Stormwater Management

6) Pollution Prevention and Good Housekeeping for Municipal Facilities

15

15

# What will the Stormwater Utility fund?

## Operations and Maintenance

- Inspection, Cleaning and Maintenance of:
  - 292 inlets
  - 3 stormwater ponds
  - 2 swales
  - 9,000 feet of storm pipe
- Street Sweeping
- Pollution Prevention for Municipal Facilities
- Stormwater System Inventory Map
- Public cleanup events
- Public Education and Outreach
- Construction Site Runoff Controls
- Dedicated staff
- Additional NPDES and GIS Needs

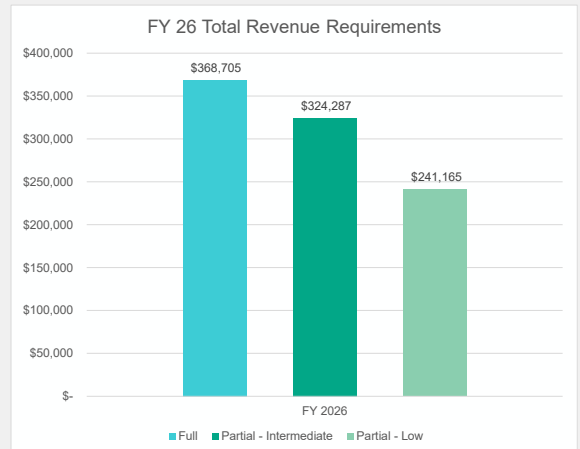


16

16

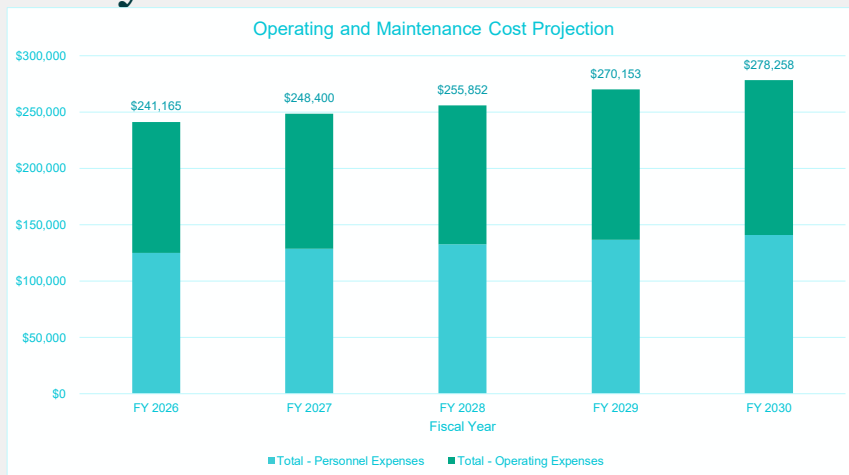
## Total Revenue Requirements – FY 26

- We evaluated funding the Town's stormwater program at three funding scenarios:
  - Full funding – all O&M and all Capital expenditures and all Reserves
  - Intermediate funding – all O&M and 50% of Capital expenditures and all Reserves
  - Low funding – O&M funding only



17

## Cost Projection – Lower Funding Option – O&M only

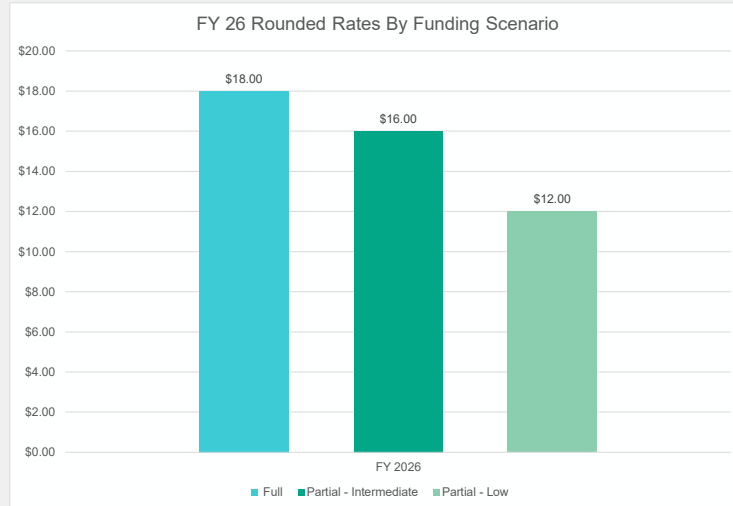


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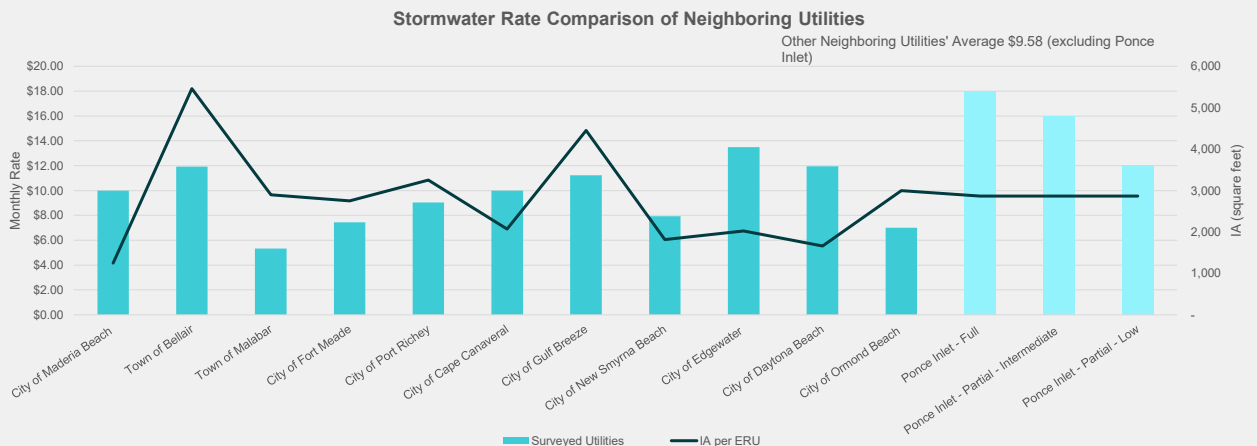
## Preliminary Monthly Rate – FY 26

- We calculated a preliminary monthly rate for all three funding scenarios



19

## Rate Comparison



20

## **Non-Ad Valorem Assessment Billing vs Utility Billing**

- Non-Ad Valorem Special Assessment an annual fee on Volusia County tax bill:
  - Highest collection rates – lien enforcement
  - Annual revenue
  - Easier to administer for parcel-based fee
  - Town must pay fee for municipal properties
  - Strict timeline:
    - ✓ Requires Resolution of Intent Prior to January 1, 2026
    - ✓ Requires draft assessment roll to Volusia County for TRIM notice by July/August
    - ✓ Requires public hearing in September
    - ✓ Requires final assessment roll to Volusia County by September 15th

21

21

## **Non-Ad Valorem Assessment Billing vs Utility Billing**

- As a line item on Town's monthly Water and Sewer Bill:
  - High collection rates – water shut-off enforcement
  - Monthly revenue
  - Seasonal and/or renter population – large amount of water turn offs can impact collections and revenue
  - Harder to administer – parcel to account matching process – stormwater only billing for developed parcels with no water bills
  - Town would not have to bill itself

22

22

# Next Steps



23

23

## Next Steps

- **Phase 2 Implementation Scope:**
  - Data Development and Units of Service Finalization
  - Final Rate Calculation
  - Credit Program Development
  - Stormwater Utility Ordinance Development
  - Public Outreach
  - Utility Billing Support or NAVSA Billing Support

24

# Q&A

25

25



# Thank you!

Christina Conchilla: [econchilla@raftelis.com](mailto:econchilla@raftelis.com)

26

26





**MEMORANDUM**  
**TOWN OF PONCE INLET - IT DEPARTMENT**

*THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND  
FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE  
INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.*

To: Michael E. Disher, AICP, Town Manager  
From: Steven Wargo, Public Works Director  
Date: July 2, 2025  
Subject: Request to declare Public Works Building “B,” emergency generator, and backhoe as surplus property

---

**MEETING DATE:** July 17, 2025

---

**Introduction:**

Staff requests approval from the Town Council for the declaration of the Public Work generator and Building B as disposable and the Public Works backhoe as surplus for sale.

**Background:**

Per Town Code of Ordinances Chapter 2, Section 2-382, personal property deemed obsolete, unusable, or in the best interest of the Town for sale, when the estimated value is \$5,000 or more, shall be made to the highest responsible bidder upon declaration as surplus property by the town council. Such property may be sold by negotiation sale, auction or other procedure approved by the Town Manager.

The following assets have been evaluated and determined to be beyond repair or no longer of use to Public Works:

- **Emergency Generator** (purchased in 1998): The unit has failed and is beyond economical repair.
- **Building B** (constructed in 1968): This structure has been condemned due to critical structural issues and is scheduled for demolition.
- **Public Works Backhoe:** The equipment is no longer operational or cost-effective to maintain and should be auctioned as surplus.

**Recommendation:**

Staff recommends approval to declare the above items as surplus property and proceed with their appropriate disposal or auction.

# TOWN OF PONCE INLET

Capital Assets Policies and Procedures Manual



## EXHIBIT D - FIXED ASSET DISPOSAL FORM

Dept# 39

(not required)

TO: FINANCE DEPARTMENT

DISPOSAL DATE: \_\_\_\_\_

The following item was: Emergency Generator

From the : Public Works Department

### ASSET INFORMATION:

Description: Diesel Power Emergency Generator

Acquisition Date: 3/27/1998

Cost New: \$21,261.44

Town Asset#: 1509

Town Vehicle#: \_\_\_\_\_

VIN#: \_\_\_\_\_

Serial#: 447783

Model#: MEC3505A

Manufacturer: Yanmar

PLEASE AUTHORIZE TRANSFER/DISPOSAL IN ACCORDANCE WITH CURRENT COUNCIL POLICY

Signature of Department Custodian Verifying Deletion

*Stu Wargo*

Signature of Town Manager

\_\_\_\_\_

Disposal Method: ☐ Sale/Auction

☐ Donation

Recipient \_\_\_\_\_

☒ Junked/Scrapped

☐ Obsolete

☐ Broken

☐ Stolen

Police Report Filed

☐ Yes ☐ No

☐ Lost

☐ Other \_\_\_\_\_

PLEASE FORWARD COPY OF SIGNED FORM AND ANY SUPPORTING BACKUP DOCUMENTATION TO FINANCE DEPARTMENT

# TOWN OF PONCE INLET

Capital Assets Policies and Procedures Manual



## EXHIBIT D - FIXED ASSET DISPOSAL FORM

Dept# 39  
(not required)

TO: FINANCE DEPARTMENT

DISPOSAL DATE: \_\_\_\_\_

The following item was: Building B Roof

From the: Public Works Department

### ASSET INFORMATION:

Description: Building B Roof

Acquisition Date: 3/22/2001

Cost New: \$5,700.00

Town Asset#: 1636

Town Vehicle#: \_\_\_\_\_

VIN#: \_\_\_\_\_

Serial#: \_\_\_\_\_

Model#: \_\_\_\_\_

Manufacturer: \_\_\_\_\_

PLEASE AUTHORIZE TRANSFER/DISPOSAL IN ACCORDANCE WITH CURRENT COUNCIL POLICY

Signature of Department Custodian Verifying Deletion

[Signature]

Signature of Town Manager

\_\_\_\_\_

Disposal Method: ☐ Sale/Auction

☐ Donation

Recipient \_\_\_\_\_

☐ Junked/Scrapped

☐ Obsolete

☐ Broken

☐ Stolen

Police Report Filed

☐ Yes ☐ No

☐ Lost

☒ Other

Demolition

PLEASE FORWARD COPY OF SIGNED FORM AND ANY SUPPORTING BACKUP DOCUMENTION TO FINANCE DEPARTMENT

# TOWN OF PONCE INLET

Capital Assets Policies and Procedures Manual



## EXHIBIT D - FIXED ASSET DISPOSAL FORM

Dept# 39  
(not required)

TO: FINANCE DEPARTMENT

DISPOSAL DATE: \_\_\_\_\_

The following item was: Building B Improvements

From the : Public Works Department

### ASSET INFORMATION:

Description: Building B Improvements

Acquisition Date: 3/22/2001

Cost New: \$12,237.50

Town Asset#: 1637

Town Vehicle#: \_\_\_\_\_

VIN#: \_\_\_\_\_

Serial#: \_\_\_\_\_

Model#: \_\_\_\_\_

Manufacturer: \_\_\_\_\_

PLEASE AUTHORIZE TRANSFER/DISPOSAL IN ACCORDANCE WITH CURRENT COUNCIL POLICY

Signature of Department Custodian Verifying Deletion

*Shirley Wargo*

Signature of Town Manager

\_\_\_\_\_

Disposal Method: ☐ Sale/Auction

☐ Donation

Recipient \_\_\_\_\_

☐ Junked/Scrapped

☐ Obsolete

☐ Broken

☐ Stolen

Police Report Filed

☐ Yes ☐ No

☐ Lost

☒ Other

Demolition

PLEASE FORWARD COPY OF SIGNED FORM AND ANY SUPPORTING BACKUP DOCUMENTATION TO FINANCE DEPARTMENT

# TOWN OF PONCE INLET

Capital Assets Policies and Procedures Manual



## EXHIBIT D - FIXED ASSET DISPOSAL FORM

Dept# 33  
(not required)

TO: FINANCE DEPARTMENT

DISPOSAL DATE: \_\_\_\_\_

The following item was: PW Backhoe

From the : Public Works Department

### ASSET INFORMATION:

Description: CAT 416C Backhoe

Acquisition Date: 10/22/1998

Cost New: \$47,144.40

Town Asset#: 5091

Town Vehicle#: 98-56

VIN#: \_\_\_\_\_

Serial#: 5YN05203

Model#: 416C

Manufacturer: Caterpillar

PLEASE AUTHORIZE TRANSFER/DISPOSAL IN ACCORDANCE WITH CURRENT COUNCIL POLICY

Signature of Department Custodian Verifying Deletion

St. Wargo

Signature of Town Manager

\_\_\_\_\_

Disposal Method: ☒ Sale/Auction

☐ Donation

Recipient \_\_\_\_\_

☐ Junked/Scrapped

☐ Obsolete

☐ Broken

☐ Stolen

Police Report Filed

☐ Yes ☐ No

☐ Lost

☐ Other \_\_\_\_\_

PLEASE FORWARD COPY OF SIGNED FORM AND ANY SUPPORTING BACKUP DOCUMENTATION TO FINANCE DEPARTMENT



## MEMORANDUM

### Town of Ponce Inlet – Office of the Town Manager

*The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.*

To: Town Council  
From: Michael E. Disher, AICP, Town Manager  
Date: July 9, 2025  
Subject: Settlement Agreement with Ponce Inlet Professional Fire Fighters, Local 4140, IAFF for Award of Appellate Attorney's Fees to the Town of Ponce Inlet

---

**MEETING DATE:** July 17, 2025

---

Staff requests approval of the above-referenced settlement agreement to recover attorney's fees involved in defending the Town in the appeal of this case before the Florida Fifth District Court of Appeal (5<sup>th</sup> "DCA") in the amount of \$18,000. According to the Town's labor attorney, only the fees related to the appeal are recoverable.

The settlement agreement represents the conclusion of this case that began over three years ago.

- February 8, 2022 – the Ponce Inlet Fire Fighters Union filed an Unfair Labor Practice charge with the Public Employees Relations Commission (PERC) alleging unlawful termination of two former Fire Department employees by the Town.
- July 27, 2023 – PERC issued its Final Order dismissing the charge against the Town.
- December 12, 2023 – the Union filed its appeal of the PERC Final Order with the 5<sup>th</sup> DCA.
- April 8, 2025 – The 5<sup>th</sup> DCA affirms the finding of the PERC Final Order "*per curiam*," without opinion. In a separate order, the 5<sup>th</sup> DCA grants the Town's Motion for Attorney's Fees and remands back to PERC to determine and assess fees for the appeal.
- April 16, 2025 – PERC directs both parties to file attorney fee proposals.
- June 26, 2025 – Settlement agreement drafted following discussions between legal counsels for both parties.

In addition to the settlement amount, the agreement fully and completely settles all of the claims raised in PERC Case Nos. CA-2022-004 and AF-2025-001, and Fifth DCA Case No. 5D2023-2630. Following receipt of the payment, the Town will file a Motion to Dismiss with Prejudice, meaning that the issues of this case cannot be raised again.

Staff recommends **approval** of the Settlement Agreement by the Town Council and requests authority for the Town Manager to execute the Agreement.

STATE OF FLORIDA  
PUBLIC EMPLOYEES RELATIONS COMMISSION

PONCE INLET PROFESSIONAL  
FIRE FIGHTERS, LOCAL 4140,  
INTERNATIONAL ASSOCIATION  
OF FIRE FIGHTERS,

Charging Party,

Case No.: AF-2025-001  
(Relates to CA-2022-004)

v.

TOWN OF PONCE INLET,

Respondent.

\_\_\_\_\_ /

**SETTLEMENT AGREEMENT**

WHEREAS, the Charging Party, Local 4140, Ponce Inlet Professional Fire Fighters, Local 4140, International Association of Fire Fighters (“Charging Party” or “the Union”), filed an unfair labor practice charge against the Respondent, Town of Ponce Inlet (“Respondent” or “the Town”);

WHEREAS, the Florida Public Employees Relations Commission (“PERC”) issued a Final Order dismissing the Union’s Unfair Labor Practice Charge;

WHEREAS, the Union appealed PERC’s Final Order to the Florida Fifth District Court of Appeal (“DCA”);

WHEREAS, the Fifth DCA affirmed PERC’s Final Order, granted the Town’s Motion for appellate attorney’s fees, and remanded the matter to PERC for the determination and assessment of reasonable attorneys’ fees;

WHEREAS, the determination and assessment of reasonable attorneys’ fees is currently pending before PERC in Case No. AF-2025-001; and

WHEREAS, the parties desire to amicably resolve the issue of appellate attorneys’ fees and continue their harmonious working relationship;

NOW THEREFORE, the Parties agree as follows:

1. The Union agrees to pay the Town reasonable attorneys' fees in the total amount of \$18,000.00, by check payable to the Town of Ponce Inlet and either mailed or hand-delivered to Town Clerk Kim Cherbano at 4300 South Atlantic Avenue, Ponce Inlet, FL 32127 within fourteen (14) days of the execution of this Agreement by all parties below.

2. Upon receipt and clearance of the check in paragraph 1 above, the Town shall file an agreed-upon or joint Motion to Dismiss with Prejudice the proceedings in PERC Case No. AF-2025-001. Additionally, if necessary, the Town shall file an agreed-upon Motion to Stay the proceedings in PERC Case No. AF-2025-001 pending the receipt and clearance of the check in paragraph 1 above.

3. The parties agree that this Agreement fully and completely settles all of the claims raised or which could have been raised in PERC Case Nos. CA-2022-004 and AF-2025-001, and Fifth DCA Case No. 5D2023-2630.

4. The parties agree that they have entered into this Settlement Agreement knowingly, freely and voluntarily having had an opportunity to consult legal counsel. Each of the undersigned warrants that he or she is authorized to execute this Agreement on behalf of the entity or individual identified.

5. The effective date of this Agreement shall be the date that it is executed by both parties below.

IN WITNESS WHEREOF, the parties hereto execute this Agreement, as follows:

**For Town of Ponce Inlet:**

**For Local 4140, Ponce Inlet Professional Fire  
Fighters, IAFF:**

By: \_\_\_\_\_  
Michael E. Disher, AICP  
Town Manager

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_





**Meeting Date:** 7/17/2025

**Agenda Item:** 8-A

### **Report to Town Council**

**Topic:** Appointment to the Cultural Services, Historic Preservation, & Tree Advisory Board.

**Summary:** Please see attached staff report and supporting documents.

**Suggested motion:** As determined by Council.

**Requested by:** Ms. Gjessing, Deputy Town Clerk

**Approved by:** Mr. Disher, Town Manager



## MEMORANDUM

### Town of Ponce Inlet / Office of the Town Clerk

*The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.*

To: Michael E. Disher, AICP, Town Manager  
From: Stephanie Gjessing, Deputy Town Clerk  
Through: Kim Cherbano, Town Clerk  
Date: July 7, 2025  
Subject: Appointment to the Cultural Services, Historic Preservation, & Tree Advisory Board.

---

**MEETING DATE:** July 17, 2025

---

The Cultural Services, Historic Preservation, and Tree Advisory Board consists of seven seats: five (5) Regular seats (three-year terms) and two (2) Alternate seats (one-year terms). Currently, the only vacancy on the Board is for Alternate Seat 2.

Ms. Jair Kessler has applied for appointment to Alternate Seat 2. Her voter status has been confirmed and she has met Council's requirements of eligibility for board appointment.

#### **Suggested Motion**

At Council's discretion.

#### **Attachment(s):**

Application from Ms. Kessler

RECEIVED



Town of Ponce Inlet  
4300 South Atlantic Avenue  
Ponce Inlet, FL 32127  
(386) 236-2150

JUL 07 2025

BY: SG

## Application for Appointment CULTURAL SERVICES, HISTORIC PRESERVATION, AND TREE ADVISORY BOARD

*Please note that all information provided becomes a public record upon receipt.*

Each member of the Board shall be a qualified elector of the Town of Ponce Inlet and preference for appointment will be given to full-time residents per Section 2-91(g) of the Town's Code of Ordinances. Board meetings are held on the first Monday of each month in the Town Council Chambers at 4300 South Atlantic Avenue, Ponce Inlet and are open to the public.

Name: Jair Kessler

Address: 81 Buschman Drive

Daytime Telephone: \_\_\_\_\_ Cell: 917.539.8706

E-mail address: jair.kessler@nyu.edu

Residency: ☒ Full-time ☐ Part-time

(If part-time, please indicate the number of months you are usually in Ponce Inlet each year): \_\_\_\_\_

The duties of the Cultural Services, Historic Preservation, and Tree Preservation Advisory Board are explained in [Article 6.2.3 of the Town's Land Use and Development Code](#).

Indicate if you have any experience and/or education in any of the following fields:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Archaeology                      | <input type="checkbox"/> Historic Preservation  | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Architecture                     | <input checked="" type="checkbox"/> History     | <input type="checkbox"/> Tree Preservation  |
| <input checked="" type="checkbox"/> Environmental Science | <input type="checkbox"/> Landscape Architecture |   |

If yes, please explain: I worked for many years as the Assistant Director of the Remarque Institute which supports the multi-disciplinary and comparative study of Europe and its near neighbors. The director was the well-known historian and public intellectual, Tony Judt. I am thus very interested in history no matter whether it be local or international.

Do you have any training and/or experience in Parliamentary Procedure, Sunshine Law, and Quasi-Judicial proceedings? NO. If so, please describe: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Have you reviewed the Board member Training Information regarding Parliamentary Procedure, Sunshine Law, and Quasi-Judicial proceedings? YES If so, please provide the date of review: SEPTEMBER 2024

Please provide additional information and/or interests you feel may be helpful when considering your application for board appointment: I served as Alternate # 1 on the Cultural Board from June 2022 to December 2024. I thus feel I have the necessary interest and experience to continue to serve on the Board.

**MEETING ATTENDANCE REQUIREMENT:** Per Resolution 2025-06, those seeking appointment to the Cultural Services, Historic Preservation, and Tree Advisory Board must have attended a meeting of the board or reviewed the last two sets of minutes and audio recordings prior to application submittal.

Please indicate meeting date attended OR the date(s) of minutes/audio reviewed: March 3 and April 7, 2025

*I hereby affirm that I am a resident and qualified elector of the Town of Ponce Inlet and that the information provided on this application is true and accurate.*

Jan Kessle

July 5, 2025

Signature of Applicant

Date

**STAFF USE ONLY**

Application received by: Stephanie Gjessing Date: 7/7/25

Proof of residency verified: ☐ FL Driver's License ☒ Other: VC property appraiser

☒ Voter Registration verified – Date: 7/7/25 By: SG

Application Complete: ☒ Yes ☐ No Reviewed By: SG

Date of Council meeting: \_\_\_\_\_ Confirmation sent: \_\_\_\_\_

☐ Appointment **APPROVED**

☐ Appointment **DENIED**

Membership: **Appointed to Seat #** \_\_\_\_\_

☐ Regular

☐ Alternate



**Meeting Date:** 7/17/2025

**Agenda Item:** 9-A

## **Report to Town Council**

**Topic:** Ordinance 2025-04 – 2<sup>nd</sup> Reading – Amending the official zoning map designation of 4784 S. Peninsula Drive from “C” (Conservation) to “R-1” (Low-Density Single-Family Residential).

**Summary:** The property owners, James and Meredith Beck, request approval to amend the official zoning map designation for a 0.57-acre parcel located at 4784 S. Peninsula Drive. The Planning Board met on April 22, 2025 and unanimously recommended approval of the change to zoning designation of the subject parcel. The Town Council approved first reading of this ordinance on June 19, 2025. Please see the attached staff report and supporting documentation for more information.

**Suggested motion:** Approval of the Zoning Map Amendment Case No. RZNE-16-2024 to change the zoning designation of the subject parcel located at 4784 S. Peninsula Drive from “C” (Conservation) to “R-1” (Low-Density Single-Family Residential).

**Requested by:** Ms. Rippey, Principal Planner  
Mr. Lear, Planning & Development Director

**Approved by:** Mr. Disher, Town Manager



## MEMORANDUM

### TOWN OF PONCE INLET, PLANNING AND DEVELOPMENT DEPARTMENT

*The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet obtain the greatest value for their tax dollar.*

To: Michael E. Disher, AICP, Town Manager

From: Patty Rippey, AICP, Principal Planner

Through: Darren Lear, AICP, Planning & Development Director

Date: July 10, 2025

Subject: Ord. 2025-04 - Zoning Map Amendment for 4784 S. Peninsula Drive, Case No. RZNE 16-2024

---

**MEETING DATE:** July 17, 2025

---

1 **INTRODUCTION**

2 James and Meredith Beck, property owners, request approval to amend the official Zoning Map  
3 designation for a 0.57-acre parcel located at 4784 S. Peninsula Drive from “C” (Conservation) to  
4 “R-1” (Low Density Single-Family). The property is developed with a single-family house  
5 constructed in 1954. If approved, the property will be consistent with the minimum dimensional  
6 standards of the “R-1” zoning district and with the property’s future land designation of *Low*  
7 *Density Single Family Residential*.

8

9 **AUTHORITY AND PROCESS**

10 Per LUDC Section 6.6.1, the purpose of a rezoning is to adjust the official zoning map as necessary  
11 considering changed conditions, changes in public policy, to conform to the comprehensive plan,  
12 or that is necessary to advance the general welfare of the town. In accordance with LUDC Sections  
13 6.2.2 and 6.6.1, the Planning Board, in its capacity as the local planning agency, shall review the  
14 rezoning for consistency with the comprehensive plan and provide its determination to the town  
15 council.

16

17 The Town Council shall hold public hearings and approve, approve with conditions, postpone or  
18 deny the application. It may accept, accept with conditions, modify or reject the Planning Board's  
19 recommendation, or seek additional information from the Planning Board. The Planning Board  
20 met on April 22, 2025 and voted 5-0 to recommend **approval** of the zoning map amendment to  
21 change the zoning designation of the subject parcel (PID 6430-00-01-0091) located on the west  
22 side of South Peninsula Drive, north of Inlet Harbor Road and southwest of Calumet Drive from  
23 “C” (Conservation) to “R-1” (Low Density Single-Family Residential). The Town Council met on  
24 June 19, 2025 and voted 5-0 to approve the amendment to the official zoning map.

## **PROPERTY OVERVIEW**

The existing single-family house is approximately 2,332 SF in size and occupies the lot with a 120 SF storage shed. The property is located on the west side of South Peninsula Drive, north of Inlet Harbor Road, southwest of Calumet Drive. (**Attachment 1 – Location Map and Attachment 2 – Aerial Map**).

### *Existing Zoning*

The subject parcel has a zoning designation of “C” (Conservation). One vacant parcel abutting the subject parcel to the north is zoned “C”. All other surrounding parcels to the north, south, east and west are zoned “R-1”. All the surrounding parcels have a future land use designation of “LDR”. (**Attachment 3 – Existing Zoning Maps**).

### *Proposed Zoning*

The proposed zoning for the subject parcel is “R-1” (Low Density Single-Family). Based on the current use as single-family residential and the existing surrounding residential uses, “R-1” is a compatible zoning designation (**Attachment 4 – Proposed Zoning Map**).

### *Future Land Use and Zoning*

The adopted Future Land Use designation for the subject parcel is “LDR” (*Low Density Single-Family Residential*). Pursuant to the Zoning/Future Land Use Plan Compatibility Matrix<sup>1</sup> the Future Land Use and zoning designations are not compatible (**Attachment 5 – Adopted Future Land Use Map**).

## **DISCUSSION AND FINDINGS OF FACT**

Staff’s analysis of the application is discussed below.

### **Historical Information**

The future land use designation of the subject parcel, adjacent properties on S. Peninsula Drive, and Inlet Harbor Road was established as *Conservation* in 1977 with the adoption of the Town’s first comprehensive plan<sup>2</sup>. That same year, when the Town adopted its official Zoning Map<sup>3</sup>, the property was rezoned to a combination of Conservation and “R-1aa” (Single-Family Residential).

In 2011, the Town Council approved applications from Inlet Harbor, Inc. to amend the Future Land Use of the parcels to the north and south of the subject parcel from “C” (*Conservation*) to “LDR” (*Low Density Single-Family Residential*) and to change the zoning from “C” (Conservation) to “R-1” (Low Density Single-Family)<sup>4</sup>. In 2015, the Town Council similarly amended the future land use and zoning of the Inlet Harbor Estates subdivision properties located on the north side of Inlet Harbor Road, west of S. Peninsula Drive.<sup>5</sup> With both the 2011 and 2015 applications, site-specific policies were added to the Future Land Use element to further restrict development densities below the theoretical maximum allowed and to add environmental protections for the riverfront/ canal shoreline.

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<sup>1</sup> Town of Ponce Inlet Comprehensive Plan Future Land Use Element Table II – 1.

<sup>2</sup> Adopted by Ordinance No. 77-5 on June 29, 1977.

<sup>3</sup> Adopted by Ordinance No. 77-24, on November 30, 1977.

<sup>4</sup> Adopted by Ordinance No. 2011-13 and Ordinance No. 2011-14.

<sup>5</sup> Adopted by Ordinance No. 2015-01 and Ordinance No. 2015-02.



The owners of the subject parcel were not part of the zoning amendment requests of 2011 or 2015, leaving the zoning designation for this parcel as Conservation. In 2017, the Future Land Use Map adopted with the EAR-based amendments of the time<sup>6</sup> designated all of the properties between Calumet Avenue and Inlet Harbor Road on the west side of S. Peninsula Drive, including the subject parcel, as “LDR”( *Low Density Single-Family Residential*).

## **Zoning District Regulations**

### **“C” (Conservation)**

Pursuant to Section 2.4.A of the Town’s LUDC, the purpose and intent of the conservation zoning district is to protect environmentally sensitive lands, coastal dunes, shorelines, and associated mangrove and salt water marsh communities, and preserve those conditions and characteristics which promote dune and shoreline stabilization, storm surge abatement, water quality maintenance, wildlife and marine resource habitats, and marine productivity. It intends to prevent urban development on lands that are unsafe for that use because of the potential for erosion, flooding, wave run-up, inadequate accessibility, or other conditions. The dimensional requirements of the “C” district are as follows:

Minimum lot size for Single-Family dwellings:	Minimum yard size:	Maximum building height: 35 feet
Area: 20 acres	Front: 30 feet	Maximum lot coverage: none specified
Width: N/A	Side 25 feet	Minimum floor area: 1,800 square feet
	Rear: 50 feet	Maximum floor area: 2,500 square feet
	Waterfront: 50 feet	

Due to the size of the lot, the subject property is non-conforming under the current “C” zoning.

### **“R-1” (Low-Density Single-Family Residential)**

Pursuant to Section 2.5 of the Town’s LUDC, the purpose and intent of the “R-1” zoning district is to provide for low-density single-family residential developments on individual lots that are consistent with the character of existing or proposed residential neighborhoods. Permitted principal uses of the Property under the “R-1” zoning are limited to single-family dwellings. The existing residential structure located on the subject parcel is a permitted use under the “R-1” zoning district. The dimensional requirements of the “R-1” district are as follows:

Minimum lot size:	Minimum yard size:	Maximum building height: 35 feet
Area: 10,625 SF	Front: 30 feet	Maximum lot coverage: 35 percent
Width: 85 feet	Side 10 feet	Minimum gross floor area: 1,800 square feet per unit
Depth: 100 feet	Rear 30 feet	
	Waterfront: 25 feet	

If the rezoning request for the subject parcel is approved, any new development on the subject parcels would be required to meet the “R-1” standards. The proposed “R-1” Low Density Single-Family Residential zoning designation is compatible with the adopted Future Land Use designation.

## **REVIEW CRITERIA**

LUDC Section 6.6.1 establishes the following criteria to be considered by the Planning Board and Town Council in its review, recommendation, and decision on a rezoning application.

<sup>6</sup> Adopted by Ordinance No. 2017-01.

**1) *Whether it is consistent with all adopted elements of the comprehensive plan.***

*Applicants' Response:* Yes, it appears to be consistent with all adopted elements of the Comprehensive Plan.

*Staff's Response:* In accordance with FS Ch 163.3177, which governs the comprehensive planning in the state, and the Town's Comprehensive Plan, Chapter II – Future Land Use Element – 2017, Goal 6 and Policy 6.1.2, zoning maps must be consistent with the adopted comprehensive plan's future land use map. The purpose of this mandate is to ensure that development plans adhere to the town's overall vision for land use.

As noted above, the proposed zoning designation of "R-1" (Low Density Single-Family), is compatible with the adopted "LDR" (*Low Density Single-Family Residential*) future land use category. This criterion is met.

**2) *Its impact upon the environment or natural resources.***

*Applicants' Response:* There is no negative impact upon the environment or natural resources. The current house was constructed in 1954.

*Staff's Response:* There is no unique inherent environmental value to the property that warrants it to remain zoned Conservation. The property is the same as the others that were rezoned in 2011 and 2015. The subject parcel has functioned as a residential property for over 70 years. There will be no impacts to the environment or natural resources by rezoning this parcel. This criterion is met.

**3) *Its impact upon the economy of any affected area.***

*Applicants' Response:* There is no negative impact upon any of the affected area. There have been improvements to the property which would only positively affect the neighboring properties by increasing their property values.

*Staff's Response:* The subject parcel will not be altered from the single-family residential use that has existed on this parcel for over 70 years. The rezoning will have a similar impact as the adjacent uses upon the economy of the surrounding single family residential area. This criterion is met.

**4) *Its impact upon any existing necessary governmental services such as schools, sewage disposal, solid waste or transportation systems, or any other infrastructure.***

*Applicants' Response:* There is no additional impact upon any necessary governmental services. The house has been converted to city sewer which eliminates any possible contamination from the prior septic tank system.

*Staff's Response:* The use of the subject parcel will remain as a single-family residential use and will not require any additional government services. The lot has been in existence for decades and is already accounted for in terms of future infrastructure planning. There is no impact on existing necessary governmental services. This criterion is met.

**5) *Any changes in circumstances or conditions affecting the area.***

*Applicants' Response:* There are no changes in the circumstances or conditions affecting the area.

*Staff's Response:* The subject parcel will remain as a single-family residential use with no changes in circumstance of effect on the area. This criterion has been met.

**6) *Any mistakes in the original classification other than re-classifications due to inadvertent boundary errors, including clerical or scrivener's errors, which may be corrected administratively.***

*Applicants' Response:* It appears there were no mistakes in the original classification.

*Staff's Response:* When the Town adopted its first official zoning map in 1977, the subject parcels and surrounding parcels were rezoned to a combination of Conservation and "R-1aa". The Conservation designation at that time was intended to be a "holding" zone until future development occurred. Rezoning the subject parcel to "R-1" will allow the property to be compatible with the Future Land Use Designation of Low Density Single-Family Residential. This criterion is met.

**7) *Its effect upon the use or value of the affected area.***

*Applicants' Response:* There is no negative effect upon the use or value of the affected area.

*Staff's Response:* The subject will remain as a single-family use with no changes in use or value to the affected area. This criterion is met.

**8) *Its impact upon the public health, welfare, or safety.***

*Applicants' Response:* There is no negative impact upon the public health, welfare, or safety.

*Staff's Response:* The rezoning of the subject parcel to "R-1" will not impact public health, welfare or safety as the use of the property is an existing single-family structure. This criterion is met.

**PUBLIC NOTICE**

A letter notifying contiguous property owners was mailed on June 20, 2025 via certified mail. The property was posted on July , 2025, with a public hearing notice stating the date and time of the Town Council meeting. The Town Council meeting was noticed in the *Daytona Beach News-Journal* on July 2, 2025, as well as on the Town's website.

These efforts were made to ensure that the surrounding property owners were aware of the application and for them to have an opportunity to voice their concerns and desires.

198 **RECOMMENDATION**

199 Staff recommends approval based on the findings of this report.

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201 **Attachments**

202 1. Location Map

203 2. Aerial Map

204 3. Existing Zoning Map

205 4. Proposed Zoning Map

206 5. Adopted Future Land Use Map



**Case Nos.:** RZNE 16-2024

**Applicants:** James & Meredith Beck

**Property Address/Location:** 4784 S. Peninsula Drive

**Summary of Request:** Applicants are requesting an amendment to the Official Zoning Map per Section 6.6.1 of the Town's Land Use and Development Code (LUDC) to change the subject parcel from "C" (Conservation) to "R-1" (Low Density Single-Family Residential) zoning designation.



## ATTACHMENT 1 LOCATION MAP

TOWN OF PONCE INLET







**Case Nos.:** RZNE 16-2024

**Applicants:** James & Meredith Beck

**Property Address/Location:** 4784 S. Peninsula Drive

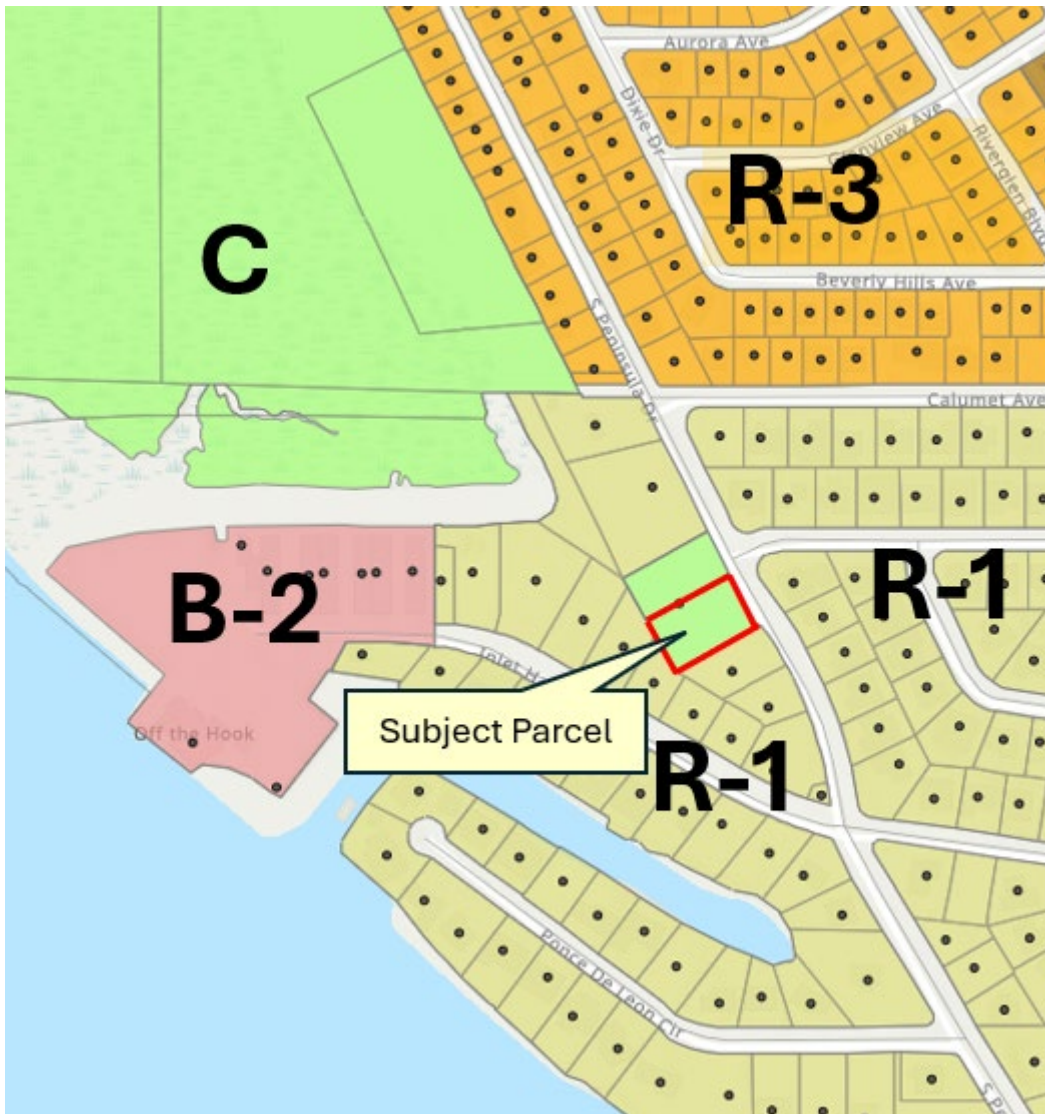
**Summary of Request:** Applicants are requesting an amendment to the Official Zoning Map per Section 6.6.1 of the Town's Land Use and Development Code (LUDC) to change the subject parcel from "C" (Conservation) to "R-1" (Low Density Single-Family Residential) zoning designation.



## ATTACHMENT 2 AERIAL MAP

TOWN OF PONCE INLET





**Case Nos.:** RZNE 16-2024

**Applicants:** James & Meredith Beck

**Property Address/Location:** 4784 S. Peninsula Drive

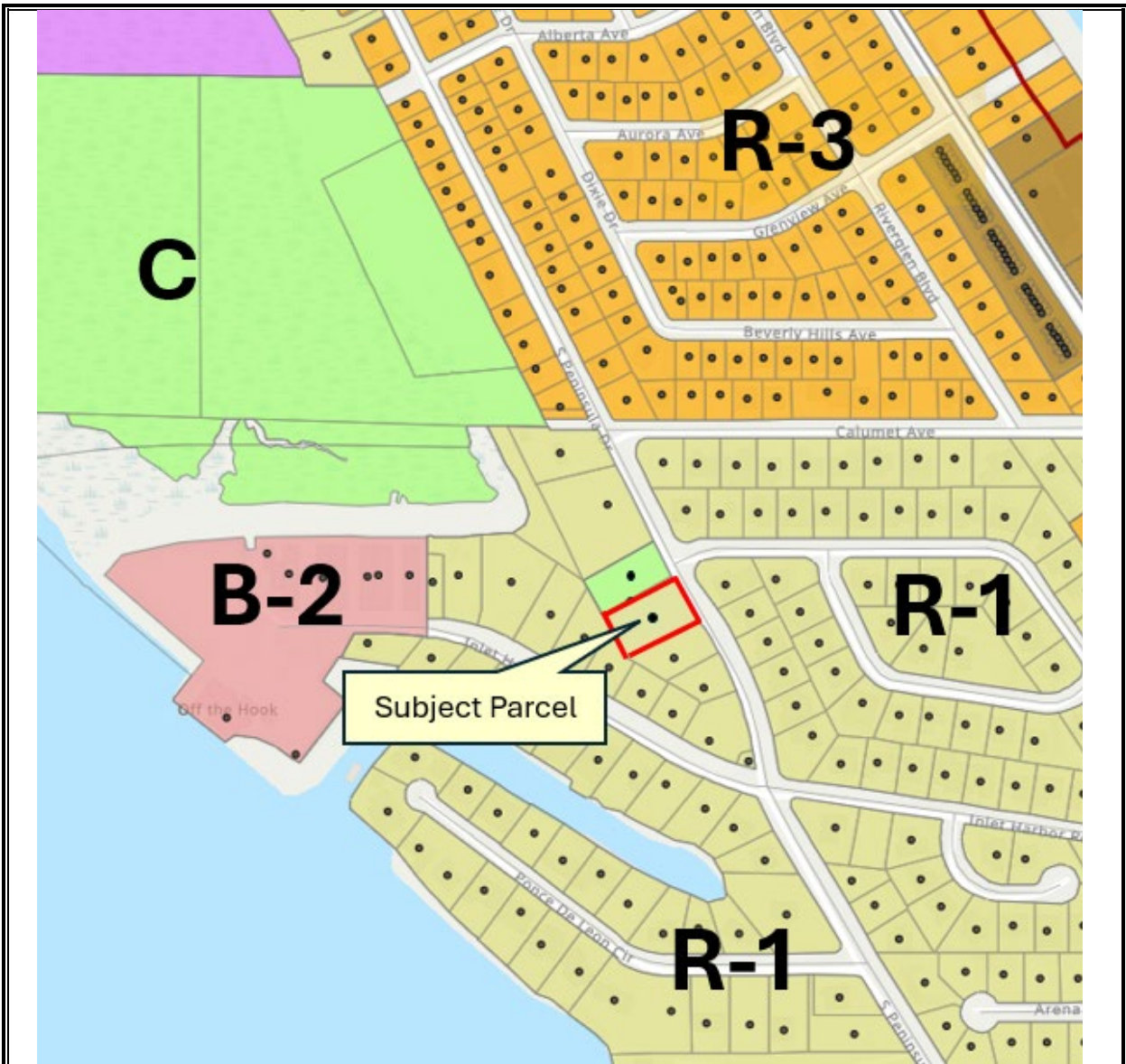
**Summary of Request:** Applicants are requesting an amendment to the Official Zoning Map per Section 6.6.1 of the Town's Land Use and Development Code (LUDC) to change the subject parcel from "C" (Conservation) to "R-1" (Low Density Single-Family Residential) zoning designation.



# **ATTACHMENT 3** **EXISTING ZONING MAP** TOWN OF PONCE INLET







**Case Nos.:** RZNE 16-2024

**Applicants:** James & Meredith Beck

**Property Address/Location:** 4784 S.  
Peninsula Drive

**Summary of Request:** Applicants are requesting an amendment to the Official Zoning Map per Section 6.6.1 of the Town's Land Use and Development Code (LUDC) to change the subject parcel from "C" (Conservation) to "R-1" (Low Density Single-Family Residential) zoning designation.

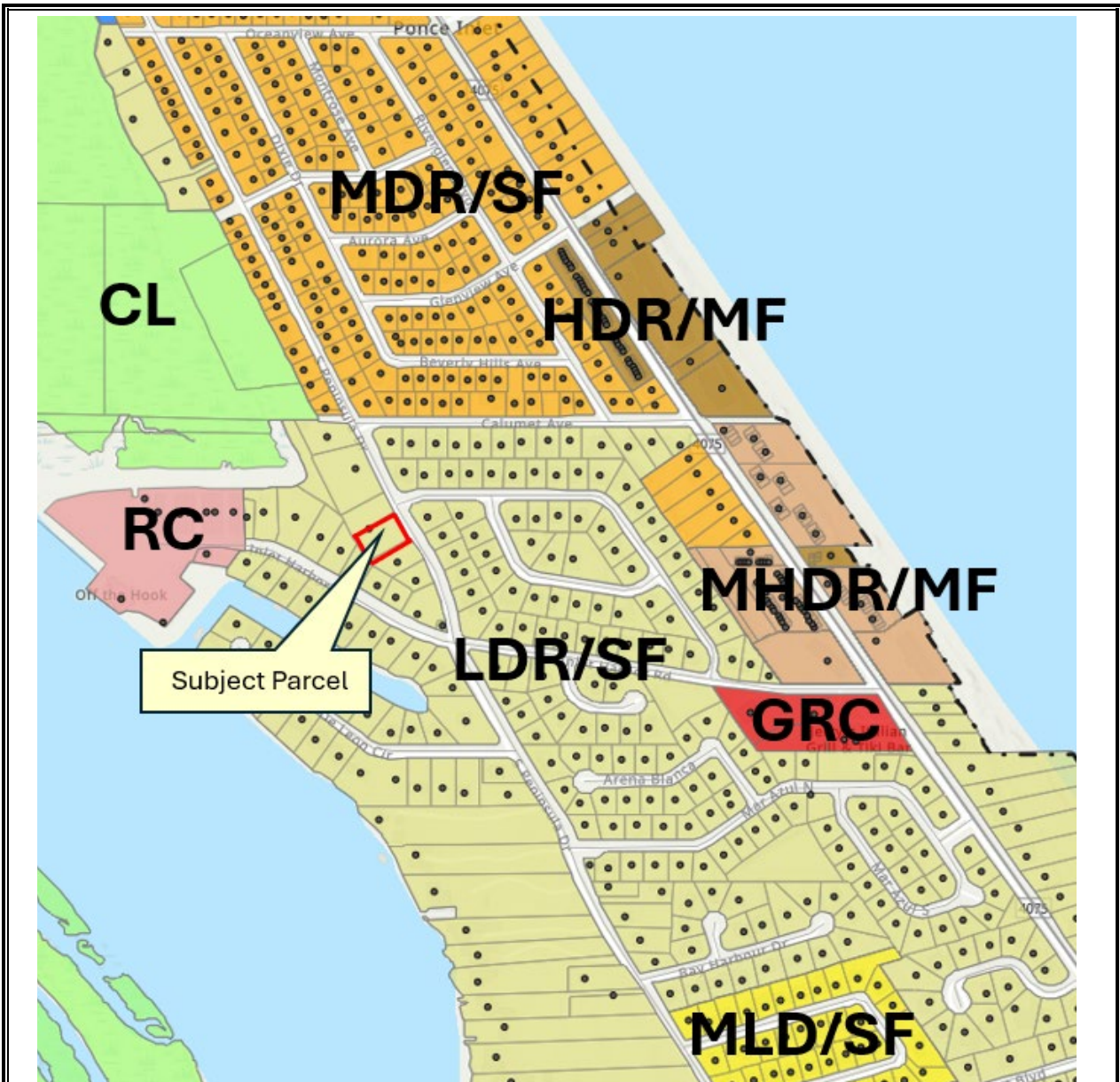


## ATTACHMENT 4 PROPOSED ZONING MAP

### TOWN OF PONCE INLET







<b>Case Nos.:</b> RZNE 16-2024	<b>Summary of Request:</b> Applicants are requesting an amendment to the Official Zoning Map per Section 6.6.1 of the Town's Land Use and Development Code (LUDC) to change subject parcel from "C" (Conservation) to "R-1" (Low Density Single-Family Residential) zoning designation.
<b>Applicants:</b> James & Meredith Beck	
<b>Property Address/Location:</b> 4784 S. Peninsula Drive	



# **ATTACHMENT 5** **ADOPTED FUTURE** **LAND USE MAP** TOWN OF PONCE INLET



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**AN ORDINANCE OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, REZONING AND CHANGING THE ZONING MAP DESIGNATION OF A PORTION OF REAL PROPERTY LOCATED ON THE WEST SIDE OF SOUTH PENINSULA DRIVE BETWEEN CALUMET AVENUE AND INLET HARBOR ROAD, TOTALING .57 ACRES, MORE OR LESS, FROM CONSERVATION (C) TO LOW DENSITY SINGLE FAMILY RESIDENTIAL (R-1); PROVIDING FOR FINDINGS AND INTENT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, James and Meredith Beck, the owners of certain real property (“subject property”) comprising 0.57 acres more or less, have applied for and requested to have said property rezoned from Conservation (C) to Low Density Single Family Residential (R-1), pursuant to the controlling provisions of State law and the Land Use and Development Code (LUDC) of the Town of Ponce Inlet; and

**WHEREAS**, the Town staff has reviewed and recommended approval of the proposed rezoning to the Low Density Single Family Residential (R-1) zoning classification, pursuant to the legislative authority of the Town Council; and

**WHEREAS**, the Planning Board, in its capacity as the Local Planning Agency, has determined that this Ordinance is consistent with the Comprehensive Plan; and

**WHEREAS**, the Town Council hereby affirms that this Ordinance is consistent with the Comprehensive Plan and is in the best interests of the public welfare of the Town.

**WHEREAS**, the Town Council of the Town of Ponce Inlet has taken all actions relating to the rezoning action set forth herein in accordance with the requirements and procedures mandated by State law and the LUDC, including holding duly noticed public hearings on the proposed zoning change and hearing testimony of staff and the public regarding the rezoning.

**NOW, THEREFORE, BE IT ENACTED BY THE TOWN OF PONCE INLET AS FOLLOWS:**

**SECTION 1. FINDINGS AND INTENT.** The “Whereas” clauses set forth above are incorporated as the findings and intent of the Town Council of the Town of Ponce Inlet.

## **SECTION 2. REZONING OF REAL PROPERTY.**

(a) Upon the enactment of this Ordinance, the subject property located at 4784 South Peninsula Drive (Tax Parcel Identification 6430-00-01-0090), is hereby rezoned from Conservation (C) to Low Density Single Family Residential (R-1), said property being legally described in Attachment “A,” attached hereto and by this reference incorporated herein.

(b) Zoning Map Amendment. The Official Zoning Map of the Town of Ponce Inlet is hereby amended to change the classification of the subject property from Conservation (C) to Low Density Single Family Residential (R-1). Town Staff is directed to promptly amend the Official Zoning Map upon the effective date of this Ordinance and to execute any other documents and take any other action as necessary to effectuate this change.

**SECTION 3. CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon adoption by the Town Council of the Town of Ponce Inlet, Florida.

It was moved by Mayor Paritsky and seconded by Councilmember White that said Ordinance be passed upon first reading. A roll call vote of the Town Council on said motion resulted as follows:

Mayor Paritsky, Seat #1	YES
Councilmember Milano, Seat #2	YES
Councilmember White, Seat #3	YES
Councilmember Villanella, Seat #4	YES
Vice-Mayor Smith, Seat #5	YES

Passed this 19 day of June, 2025.

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that said Ordinance be adopted upon second reading. A roll call vote of the Town Council on said motion resulted as follows:

Mayor Paritsky, Seat #1	_____
Councilmember Milano Seat #2	_____
Councilmember White, Seat #3	_____
Councilmember Villanella, Seat #4	_____
Vice-Mayor Smith, Seat #5	_____

86 Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

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Town of Ponce Inlet, Florida

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Lois A. Paritsky, Mayor

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ATTEST:

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Kim Cherbano, CMC

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Town Clerk

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## ATTACHMENT "A" LEGAL DESCRIPTION

### Parcel A:

That part of Government Lots 1 and 2, Section 30, Township 16 South, Range 34 East, Volusia County, Florida, more particularly described as follows:

From a concrete monument marking the Northeast corner of said Government Lot 1, North 89 degrees 14 minutes West a distance of 193.9 feet along the North line of said Section 30 to the center of South Peninsula Drive, a 50 foot street as now laid out; thence South 26 degrees 30 minutes 20 seconds East 405.8 feet; thence South 60 degrees 58 minutes 10 seconds West 25 feet to a concrete monument marking the West line of said South Peninsula Drive and the point of beginning of this description; thence continuing South 60 degrees 58 minutes 10 seconds West 202 feet; thence South 29 degrees 1 minute 50 seconds East 100 feet; thence North 60 degrees 58 minutes 10 seconds East 200 feet to the aforesaid west line of South Peninsula Drive; thence Northwesterly along the West line of South Peninsula Drive 100 feet, more or less, to the point of beginning.

### Parcel C:

Part of Government Lots 1 and 2, Section 30, Township 16 South, Range 34 East, Volusia County, Florida, more particularly described as follows:

From a concrete monument marking the Northeast Corner of said Government Lot 1; run Northerly 89 degrees 14 minutes West, a distance of 193.9 feet along the north line of said Section 30, to the center of South Peninsula Drive, a 50 foot street as now laid out and occupied; thence Southerly 26 degrees 30 minutes 20 seconds East, 450 feet to a point in the center-line of said South Peninsula Drive; thence Southerly 29 degrees 01 minute 50 seconds east, 55.8 feet; thence Southerly 60 degrees 58 minutes 10 seconds West, 25.0 feet to a point in the west line of said South Peninsula drive, being the point of beginning; thence Southerly 60 degrees 58 minutes 10 seconds West, 200 feet; thence Southerly 29 degrees 01 minute 50 seconds east, 25.0 feet; thence Northerly 60 degrees 58 minutes 10 seconds east, 200 -feet; thence Northerly 29 degrees 01 minute 50 seconds West; 25.0.feet to the point of beginning.

TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or any wise appertaining.



**Meeting Date:** 7/17/2025

**Agenda Item:** 9-B

## **Report to Town Council**

**Topic:** Ordinance 2025-05 – 2<sup>nd</sup> Reading – Amending the official zoning map designation of parcel ID# 6430-00-01-0091, located on the west side of S. Peninsula Drive between Calumet Avenue and Inlet Harbor Road, from “C” (Conservation) to “R-1” (Low-Density Single-Family Residential).

**Summary:** The property owner, Buckingham Holdings, LLC, C/O Scott Merrell, requests approval to amend the official zoning map designation for a 0.46-acre vacant parcel located just north of 4784 S. Peninsula Drive. The Planning Board met on April 22, 2025 and unanimously recommended approval of the change to zoning designation of the subject parcel. The Town Council approved first reading of this ordinance on June 19, 2025. Please see the attached staff report and supporting documentation for more information.

**Suggested motion:** Approval of the Zoning Map Amendment Case No. RZNE-07-2025 to change the zoning designation of the subject parcel (PID 6430-00-01-0091) located on the west side of S. Peninsula Drive, north of Inlet Harbor Road and southwest of Calumet Drive from “C” (Conservation) to “R-1” (Low-Density Single-Family Residential).

**Requested by:** Ms. Rippey, Principal Planner  
Mr. Lear, Planning & Development Director

**Approved by:** Mr. Disher, Town Manager



## MEMORANDUM

### TOWN OF PONCE INLET, PLANNING AND DEVELOPMENT DEPARTMENT

*The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet obtain the greatest value for their tax dollar.*

To: Michael E. Disher, AICP, Town Manager  
From: Patty Rippey, AICP, Principal Planner  
Through: Darren Lear, AICP, Planning & Development Director  
Date: July 10, 2025  
Subject: Ord. 2025-05 - Zoning Map Amendment for vacant parcel (PID 6430-00-01-0091)  
S. Peninsula Drive, Case No. RZNE 7-2025

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**MEETING DATE:** July 17, 2025

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#### INTRODUCTION

Buckingham Holdings, LLC, C/O Scott Merrell, property owner, requests approval to amend the official Zoning Map designation for a 0.46-acre vacant parcel (PID 6430-00-01-0091) located just north of 4784 S. Peninsula Drive. The applicant is requesting to rezone the subject parcel from "C" (Conservation) to "R-1" (Low Density Single-Family). If approved, the property owner wishes to develop the lot in the future with one single-family structure consistent with the minimum dimensional standards of the "R-1" zoning district and with the property's future land designation of *Low Density Single Family Residential*.

#### AUTHORITY AND PROCESS

Per LUDC Section 6.6.1, the purpose of a rezoning is to adjust the official zoning map as necessary considering changed conditions, changes in public policy, to conform to the comprehensive plan, or that is necessary to advance the general welfare of the town. In accordance with LUDC Sections 6.2.2 and 6.6.1, the Planning Board, in its capacity as the local planning agency, shall review the rezoning for consistency with the comprehensive plan and provide its determination to the town council.

The Town Council shall hold public hearings and approve, approve with conditions, postpone or deny the application. It may accept, accept with conditions, modify or reject the Planning Board's recommendation, or seek additional information from the Planning Board. The Planning Board met on April 22, 2025 and voted 5-0 to recommend **approval** of the zoning map amendment to change the zoning designation of the subject parcel (PID 6430-00-01-0091) located on the west side of South Peninsula Drive, north of Inlet Harbor Road and southwest of Calumet Drive from

“C” (Conservation) to “R-1” (Low Density Single-Family Residential). The Town Council met on June 19, 2025 and voted 5-0 to approve the amendment to the official zoning map.

### **PROPERTY OVERVIEW**

The subject parcel is currently undeveloped, and is located on the west side of South Peninsula Drive, north of Inlet Harbor Road, southwest of Calumet Drive. (**Attachment 1 – Location Map and Attachment 2 – Aerial Map**).

#### *Existing Zoning*

The subject parcel has a zoning designation of “C” (Conservation). The parcel to the south located at 4784 S. Peninsula Drive is also zoned “C,” while other surrounding parcels are zoned “R-1”. All the other surrounding parcels to the north, south, east and west of the subject parcels have a future land use designation of “LDR” and zoning designation of “R-1”. (**Attachment 3 – Existing Zoning Maps**).

#### *Proposed Zoning*

The proposed zoning for the subject parcel is “R-1” (Low Density Single-Family). Based on the planned future use of the subject parcel and existing surrounding residential uses, “R-1” is a compatible zoning designation (**Attachment 4 – Proposed Zoning Map**).

#### *Future Land Use and Zoning*

The adopted Future Land Use designation for the subject parcel is “LDR” (*Low Density Single-Family Residential*). Pursuant to the Zoning/Future Land Use Plan Compatibility Matrix<sup>1</sup> the Future Land Use and zoning designations are not compatible (**Attachment 5 – Adopted Future Land Use Map**).

### **DISCUSSION AND FINDINGS OF FACT**

Staff’s analysis of the application is discussed below.

#### **Historical Information**

The future land use designation of subject parcel and adjacent properties on S. Peninsula Drive, and Inlet Harbor Road was established as *Conservation* in 1977 with the adoption of the Town’s first comprehensive plan<sup>2</sup>. That same year, when the Town adopted its official Zoning Map<sup>3</sup>, the property was rezoned to a combination of Conservation and “R-1aa” (Single-Family Residential).

In 2011, the Town Council approved applications from Inlet Harbor, Inc. to amend the Future Land Use of the parcels to the north and south of the subject parcel from “C” (*Conservation*) to “LDR” (*Low Density Single-Family Residential*) and to change the zoning from “C” (Conservation) to “R-1” (Low Density Single-Family)<sup>4</sup>. In 2015, the Town Council similarly amended the future land use and zoning of the Inlet Harbor Estates subdivision properties located on the north side of Inlet Harbor Road, west of S. Peninsula Drive.<sup>5</sup> With both the 2011 and 2015 applications, site-specific policies were added to the Future Land Use element to further restrict development densities below

<sup>1</sup> Town of Ponce Inlet Comprehensive Plan Future Land Use Element Table II – 1.

<sup>2</sup> Adopted by Ordinance No. 77-5 on June 29, 1977.

<sup>3</sup> Adopted by Ordinance No. 77-24, on November 30, 1977.

<sup>4</sup> Adopted by Ordinance No. 2011-13 and Ordinance No. 2011-14.

<sup>5</sup> Adopted by Ordinance No. 2015-01 and Ordinance No. 2015-02.



the theoretical maximum allowed and to add environmental protections for the riverfront/ canal shoreline.

The owner of the subject parcel was not part of the zoning amendment requests of 2011 or 2015, leaving the zoning designation for this parcel as Conservation. In 2017, the Future Land Use Map adopted with the EAR-based amendments of the time<sup>6</sup> designated all of the properties between Calumet Avenue and Inlet Harbor Road on the west side of S. Peninsula Drive, including the subject parcel, as “LDR” (*Low Density Single-Family Residential*).

## **Zoning District Regulations**

### **“C” (Conservation)**

Pursuant to Section 2.4.A of the Town’s LUDC, the purpose and intent of the conservation zoning district is to protect environmentally sensitive lands, coastal dunes, shorelines, and associated mangrove and salt water marsh communities, and preserve those conditions and characteristics which promote dune and shoreline stabilization, storm surge abatement, water quality maintenance, wildlife and marine resource habitats, and marine productivity. It intends to prevent urban development on lands that are unsafe for that use because of the potential for erosion, flooding, wave run-up, inadequate accessibility, or other conditions. The dimensional requirements of the “C” district are as follows:

Minimum lot size for Single-Family dwellings:	Minimum yard size:	Maximum building height: 35 feet
Area: 20 acres	Front: 30 feet	Maximum lot coverage: none specified
Width: N/A	Side 25 feet	Minimum floor area: 1,800 square feet
	Rear: 50 feet	Maximum floor area: 2,500 square feet
	Waterfront: 50 feet	

Due to the size of the lot, the subject property is non-conforming under the current “C” zoning.

### **“R-1” (Low-Density Single-Family Residential)**

Pursuant to Section 2.5 of the Town’s LUDC, the purpose and intent of the “R-1” zoning district is to provide for low-density single-family residential developments on individual lots that are consistent with the character of existing or proposed residential neighborhoods. Permitted principal uses of the Property under the “R-1” zoning are limited to single-family dwellings. The dimensional requirements of the “R-1” district are as follows:

Minimum lot size:	Minimum yard size:	Maximum building height: 35 feet
Area: 10,625 SF	Front: 30 feet	Maximum lot coverage: 35 percent
Width: 85 feet	Side 10 feet	Minimum gross floor area: 1,800 square feet per unit
Depth: 100 feet	Rear 30 feet	
	Waterfront: 25 feet	

If the rezoning request for the subject parcel is approved, any new development on the property would be required to meet the “R-1” standards. The proposed “R-1” Low Density Single-Family Residential zoning designation *is* compatible with the adopted Future Land Use designation.

<sup>6</sup> Adopted by Ordinance No. 2017-01.

**REVIEW CRITERIA**

LUDC Section 6.6.1 establishes the following criteria to be considered by the Planning Board and Town Council in its review, recommendation, and decision on a rezoning application.

***1) Whether it is consistent with all adopted elements of the comprehensive plan.***

*Applicants' Response:* The change appears to be consistent with the Comprehensive Plan.

*Staff's Response:* In accordance with FS Ch 163.3177, which governs the comprehensive planning in the state, and the Town's Comprehensive Plan, Chapter II – Future Land Use Element – 2017, Goal 6 and Policy 6.1.2, zoning maps must be consistent with the adopted comprehensive plan's future land use map. The purpose of this mandate is to ensure that development plans adhere to the town's overall vision for land use.

As noted above, the proposed zoning designation of "R-1" (Low Density Single-Family), is more compatible with the adopted "LDR" (*Low Density Single-Family Residential*) future land use category. This criterion is met.

***2) Its impact upon the environment or natural resources.***

*Applicants' Response:* There are no negative impacts upon the environment or natural resources. While the lot is currently unimproved, the only intended future use would be to construct a code compliant, single-family residence upon the lot comparable to those on adjacent properties.

*Staff's Response:* There is no unique inherent environmental value to the property that warrants it remaining zoned Conservation. The property is the same as the others that were rezoned in 2011 and 2015. The subject parcel shall comply with all LUDC regulations governing residential uses and environmental protection. There will be no impacts to the environment or natural resources by rezoning this parcel. This criterion is met.

***3) Its impact upon the economy of any affected area.***

*Applicants' Response:* The change requested will not have a negative impact on the economy of the area. If the property is improved, it should have a positive impact on the value of neighboring properties.

*Staff's Response:* The applicant indicated the property will be developed in the future as a single-family residence. The rezoning will have a similar impact as the adjacent uses upon the economy of the surrounding single family residential area. This criterion is met.

***4) Its impact upon any existing necessary governmental services such as schools, sewage disposal, solid waste or transportation systems, or any other infrastructure.***

*Applicants' Response:* The change requested will have no immediate impact on necessary governmental services as it will remain unimproved for the current time. If a residence is constructed on the property, at that time it would require governmental support in the same manner as neighboring properties.

*Staff's Response:* Future development of the subject parcel shall be consistent with the surrounding uses and shall comply with all LUDC regulations governing residential uses. The

lot has been in existence for decades and is already accounted for in terms of future infrastructure planning. The impact on existing necessary governmental services is negligible. This criterion is met.

**5) *Any changes in circumstances or conditions affecting the area.***

*Applicants' Response:* Apart from the possible improvement to the property, there are no changes in circumstances or conditions affecting the area.

*Staff's Response:* The applicant/property owner of the subject parcel indicated the property will be developed in the future as a single-family residence and shall be consistent with the character of the surrounding residential neighborhoods. This criterion has been met.

**6) *Any mistakes in the original classification other than re-classifications due to inadvertent boundary errors, including clerical or scrivener's errors, which may be corrected administratively.***

*Applicants' Response:* There appears to be no mistakes in the original classification as it was consistent with the zoning of the neighboring lots at the time.

*Staff's Response:* When the Town adopted its first official zoning map in 1977, the subject parcel and surrounding parcels were rezoned to a combination of Conservation and "R-1aa". The Conservation designation at that time was intended to be a "holding" zone until future development occurred. Rezoning the parcel to "R-1" will allow the property to be compatible with the Future Land Use Designation of *Low Density Single-Family Residential*. This criterion is met.

**7) *Its effect upon the use or value of the affected area.***

*Applicants' Response:* There is no negative effect upon the use or value of the affected area.

*Staff's Response:* The value of the affected area will increase if/when the vacant parcel is developed as a single-family residential use. This criterion is met.

**8) *Its impact upon the public health, welfare, or safety.***

*Applicants' Response:* The requested change will have no impact upon public health, welfare, or safety.

*Staff's Response:* The rezoning of the subject parcel will not impact public health, welfare or safety, whether left vacant or developed. This criterion is met.

**PUBLIC NOTICE**

A letter notifying contiguous property owners was mailed on June 20, 2025 via certified mail. The property was posted on July 2, 2025 with a public hearing notice stating the date and time of the Town Council meeting. The Town Council meeting was published in the *Daytona Beach News-Journal* on July 2, 2025, as well as on the Town's website.

These efforts were made to ensure that the surrounding property owners were aware of the application and for them to have an opportunity to voice their concerns and desires.

203 **RECOMMENDATION**

204 Staff recommends approval based on the findings of this report.

205

206 **Attachments**

207 1. Location Map

208 2. Aerial Map

209 3. Existing Zoning Map

210 4. Proposed Zoning Map

211 5. Adopted Future Land Use Map



**Case Nos.:** RZNE 7-2025

**Applicants:** Buckingham Holdings, LLC, C/O J. Scott Merrell

**Property Address/Location:** vacant parcel S. Peninsula Dr. (PID 6430-00-01-0091)

**Summary of Request:** Applicants are requesting an amendment to the Official Zoning Map per Section 6.6.1 of the Town's Land Use and Development Code (LUDC) to change the subject parcel from "C" (Conservation) to "R-1" (Low Density Single-Family Residential) zoning designation.



## ATTACHMENT 1 LOCATION MAP

TOWN OF PONCE INLET







**Case Nos.:** RZNE 7-2025

**Applicants:** Buckingham Holdings, LLC, C/O J. Scott Merrell

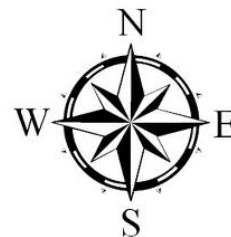
**Property Address/Location:** vacant parcel S. Peninsula Dr. (PID 6430-00-01-0091)

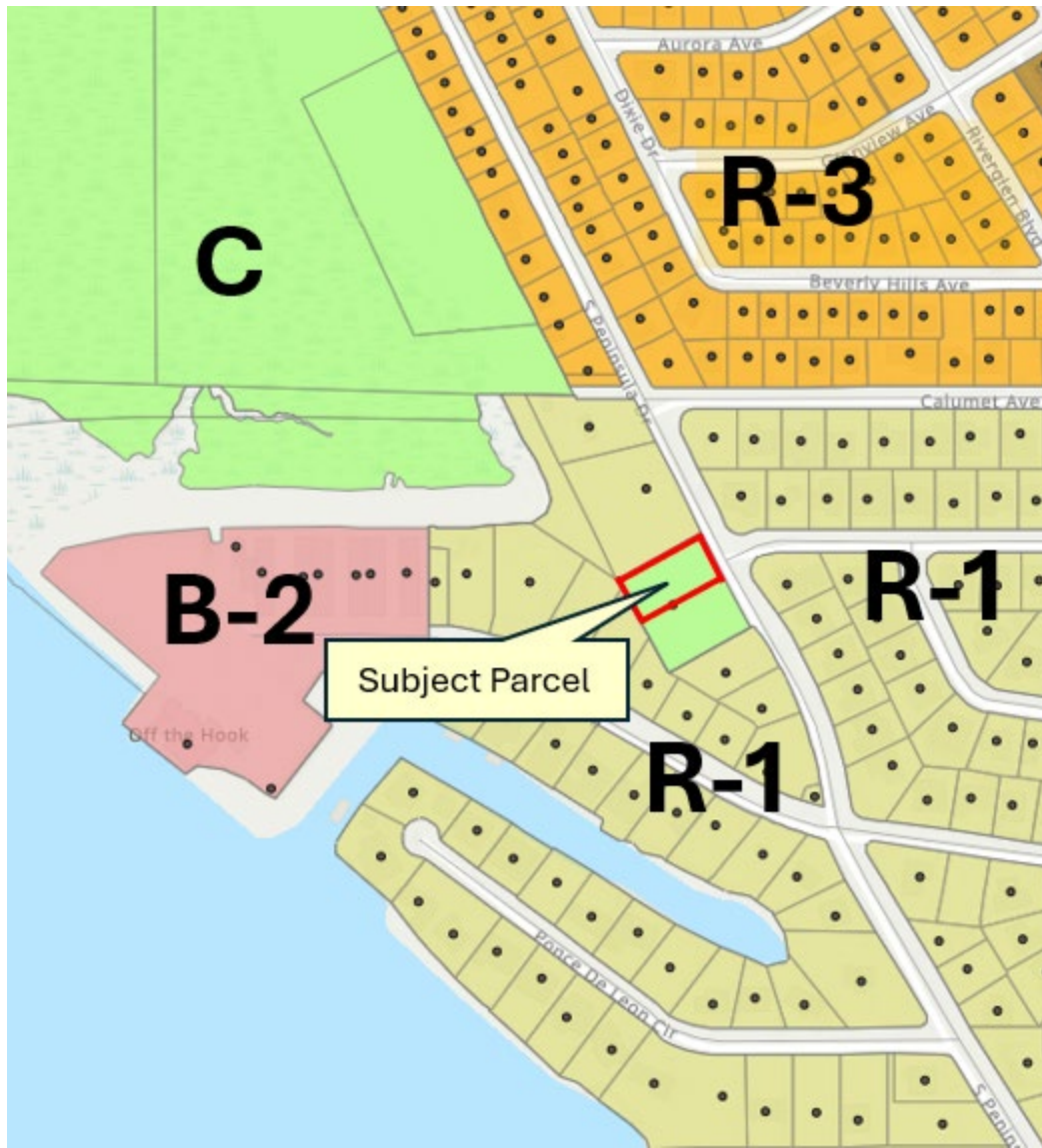
**Summary of Request:** Applicants are requesting an amendment to the Official Zoning Map per Section 6.6.1 of the Town's Land Use and Development Code (LUDC) to change the subject parcel from "C" (Conservation) to "R-1" (Low Density Single-Family Residential) zoning designation.



## ATTACHMENT 2 AERIAL MAP

TOWN OF PONCE INLET





**Case Nos.:** RZNE 7-2025

**Applicants:** Buckingham Holdings, LLC, C/O J. Scott Merrell

**Property Address/Location:** vacant parcel S. Peninsula Dr. (PID 6430-00-01-0091)

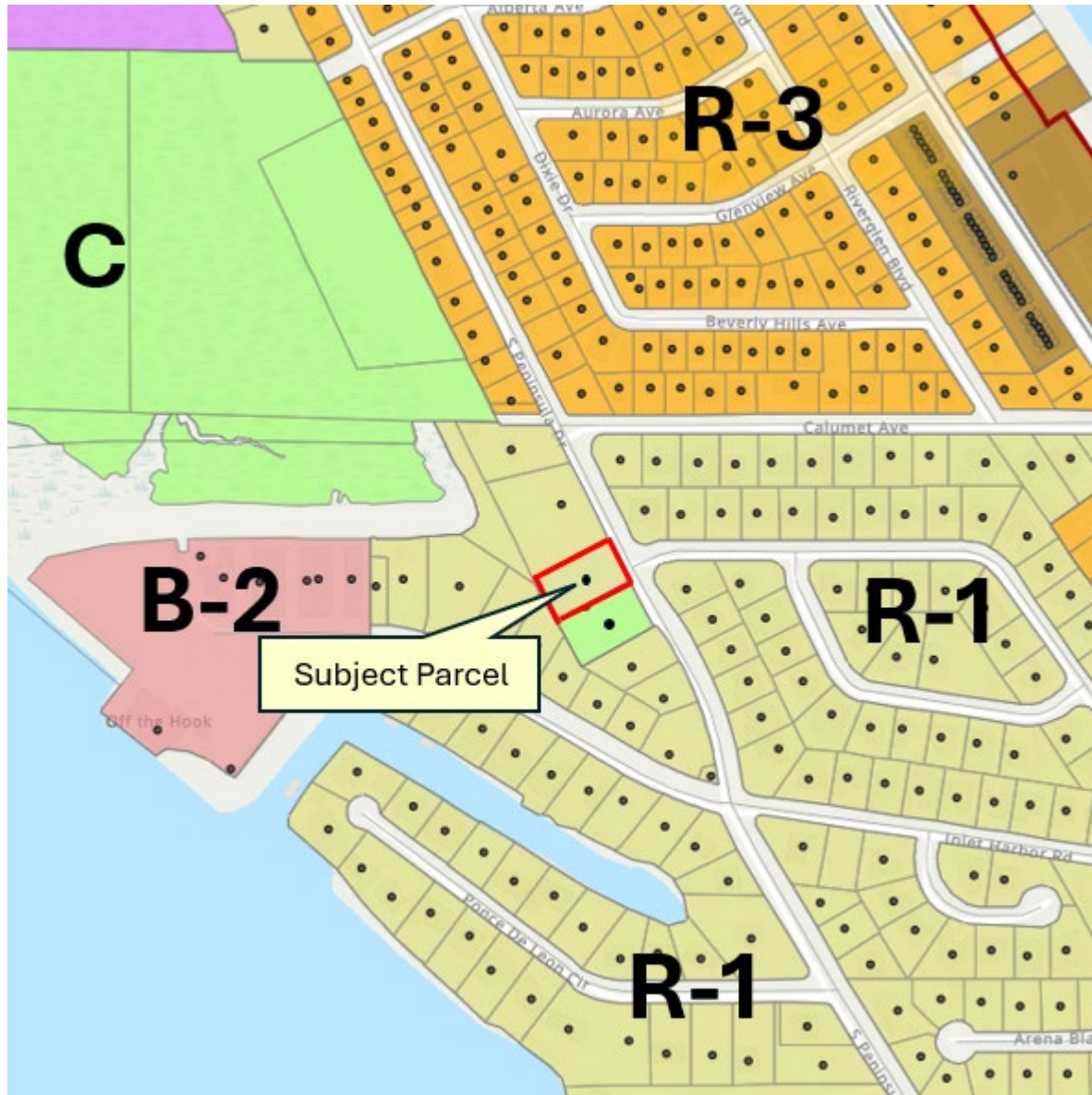
**Summary of Request:** Applicants are requesting an amendment to the Official Zoning Map per Section 6.6.1 of the Town's Land Use and Development Code (LUDC) to change the subject parcel from "C" (Conservation) to "R-1" (Low Density Single-Family Residential) zoning designation.



## ATTACHMENT 3 EXISTING ZONING MAP TOWN OF PONCE INLET







**Case Nos.:** RZNE 7-2025

**Applicants:** Buckingham Holdings, LLC, C/O J. Scott Merrell

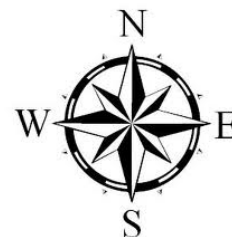
**Property Address/Location:** vacant parcel S. Peninsula Dr. (PID 6430-00-01-0091)

**Summary of Request:** Applicants are requesting an amendment to the Official Zoning Map per Section 6.6.1 of the Town's Land Use and Development Code (LUDC) to change the subject parcel from "C" (Conservation) to "R-1" (Low Density Single-Family Residential) zoning designation.

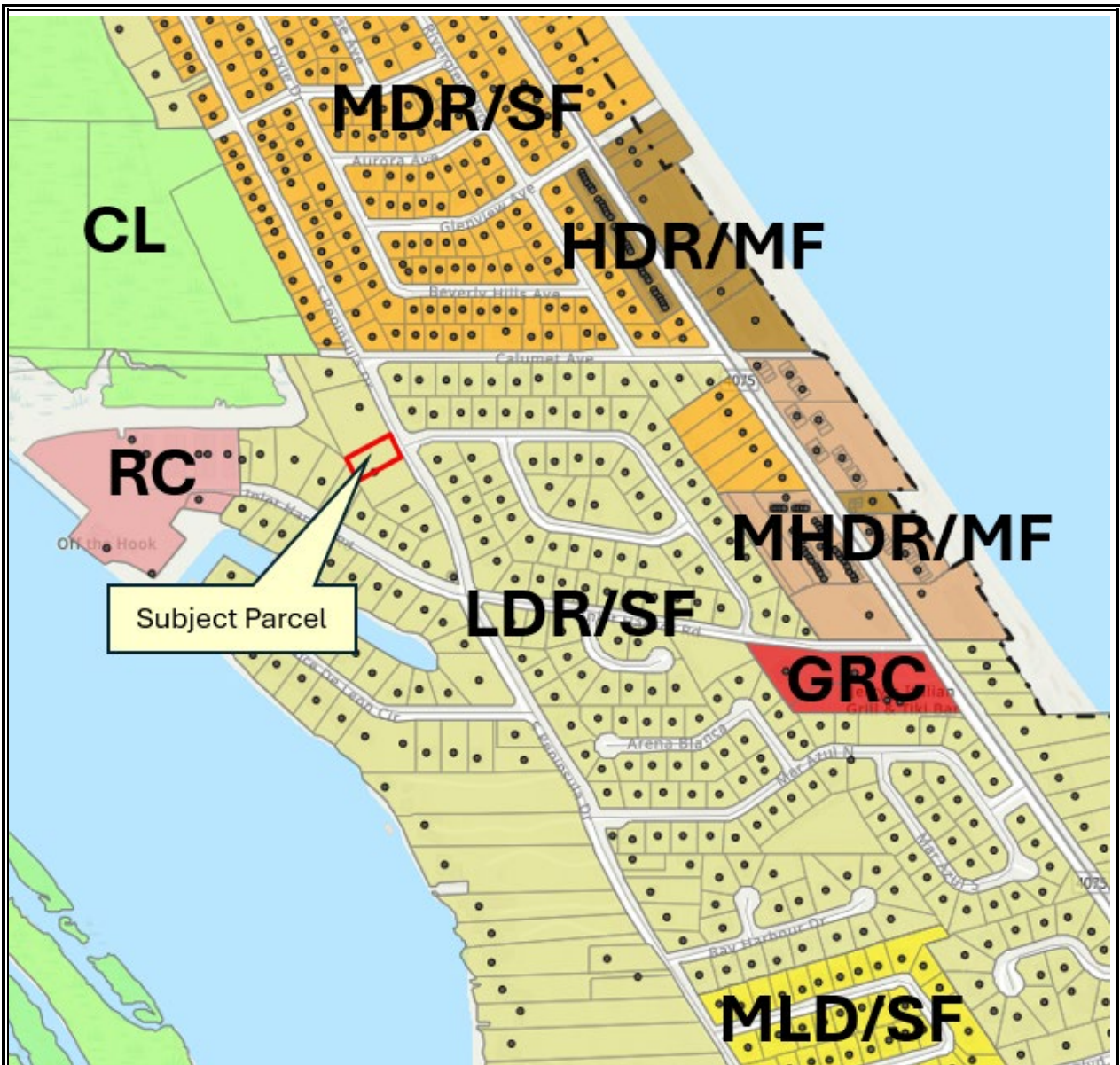


## ATTACHMENT 4 PROPOSED ZONING MAP

TOWN OF PONCE INLET







**Case Nos.:** RZNE 7-2025

**Applicants:** Buckingham Holdings, LLC, C/O J. Scott Merrell

**Property Address/Location:** vacant parcel S. Peninsula Dr. (PID 6430-00-01-0091)

**Summary of Request:** Applicants are requesting an amendment to the Official Zoning Map per Section 6.6.1 of the Town's Land Use and Development Code (LUDC) to change the subject parcel from "C" (Conservation) to "R-1" (Low Density Single-Family Residential) zoning designation.



## ATTACHMENT 5 ADOPTED FUTURE LAND USE MAP

TOWN OF PONCE INLET



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**AN ORDINANCE OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, REZONING AND CHANGING THE ZONING MAP DESIGNATION OF A PORTION OF REAL PROPERTY LOCATED ON THE WEST SIDE OF SOUTH PENINSULA DRIVE BETWEEN CALUMET AVENUE AND INLET HARBOR ROAD, TOTALING .46 ACRES, MORE OR LESS, FROM CONSERVATION (C) TO LOW DENSITY SINGLE FAMILY RESIDENTIAL (R-1); PROVIDING FOR FINDINGS AND INTENT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Buckingham Holdings, LLC, C/O J. Scott Merrell, the owner of certain real property (“subject property”) comprising 0.46 acres more or less, has applied for and requested to have said property rezoned from Conservation (C) to Low-Density Single Family Residential (R-1), pursuant to the controlling provisions of State law and the Land Use and Development Code (LUDC) of the Town of Ponce Inlet; and

**WHEREAS**, the Town staff has reviewed and recommended approval of the proposed rezoning to the Low-Density Single Family Residential (R-1) zoning classification, pursuant to the legislative authority of the Town Council; and

**WHEREAS**, the Planning Board, in its capacity as the Local Planning Agency, has determined that this Ordinance is consistent with the Comprehensive Plan; and

**WHEREAS**, the Town Council hereby affirms that this Ordinance is consistent with the Comprehensive Plan and is in the best interests of the public welfare of the Town.

**WHEREAS**, the Town Council of the Town of Ponce Inlet has taken all actions relating to the rezoning action set forth herein in accordance with the requirements and procedures mandated by State law and the LUDC, including holding duly noticed public hearings on the proposed zoning change and hearing testimony of staff and the public regarding the rezoning.

**NOW, THEREFORE, BE IT ENACTED BY THE TOWN OF PONCE INLET AS  
FOLLOWS:**

**SECTION 1. FINDINGS AND INTENT.** The “Whereas” clauses set forth above are incorporated as the findings and intent of the Town Council of the Town of Ponce Inlet.

## **SECTION 2. REZONING OF REAL PROPERTY.**

(a) Upon the enactment of this Ordinance, the subject property located on the west side of South Peninsula Drive between Calumet Avenue and Inlet Harbor Road, comprising a vacant parcel (Tax Parcel Identification 6430-00-01-0091), is hereby rezoned from Conservation (C) to Low Density Single Family Residential (R-1), said property being legally described in Attachment “A,” attached hereto and by this reference incorporated herein.

(b) Zoning Map Amendment. The Official Zoning Map of the Town of Ponce Inlet is hereby amended to change the classification of the subject property from Conservation (C) to Low Density Single Family Residential (R-1). Town Staff is directed to promptly amend the Official Zoning Map upon the effective date of this Ordinance and to execute any other documents and take any other action as necessary to effectuate this change.

**SECTION 3. CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon adoption by the Town Council of the Town of Ponce Inlet, Florida.

It was moved by Mayor Paritsky and seconded by Councilmember Villanella that said Ordinance be passed upon first reading. A roll call vote of the Town Council on said motion resulted as follows:

Mayor Paritsky, Seat #1	YES
Councilmember Milano, Seat #2	YES
Councilmember White, Seat #3	YES
Councilmember Villanella, Seat #4	YES
Vice-Mayor Smith, Seat #5	YES

Passed this 19 day of June, 2025.

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that said Ordinance be adopted upon second reading. A roll call vote of the Town Council on said motion resulted as follows:

Mayor Paritsky, Seat #1	_____
Councilmember Milano Seat #2	_____
Councilmember White, Seat #3	_____
Councilmember Villanella, Seat #4	_____
Vice-Mayor Smith, Seat #5	_____

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

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Town of Ponce Inlet, Florida

\_\_\_\_\_  
Lois A. Paritsky, Mayor

ATTEST:

\_\_\_\_\_  
Kim Cherbano, CMC  
Town Clerk

## **ATTACHMENT “A” LEGAL DESCRIPTION**

Part of Government Lots 1 and 2, Section 30, Township 16 South, Range 34 East, Volusia County, Florida, more particularly described as follows:

From a concrete monument marking the northeast corner of said Government Lot 1; run Northerly 89 degrees 14 minutes west, a distance of 193.9 feet along the north line of said Section 30, to the center of South Peninsula Drive, a 50 foot street as now laid out and occupied; thence Southerly 26 degrees 30 minutes 20 seconds East, 305.8 feet; thence Southerly 60 degrees 58 minutes 10 seconds West, 25 feet to a point in the Westerly line of said South Peninsula Drive, being the point of beginning; thence Southerly 60 degrees 58 minutes 10 seconds West 206.41 feet; thence Southerly 29 degrees 01 minute 50 seconds East, 100 feet; thence Northerly 60 degrees 58 minutes 10 seconds East, 202 feet to a point in the aforesaid Westerly line of South Peninsula Drive; thence Northwesterly along the said west line, for a distance of 100 feet to the point of beginning.



**Meeting Date:** 7/17/2025

**Agenda Item:** 10-A

## **Report to Town Council**

**Topic:** Resolution 2025-08 – Vacation of drainage, access and utility easement, Case No. VAC 5-2025, 4915 S. Atlantic Avenue.

**Summary:** The representative for the owner of 4915 S. Atlantic Avenue requests approval to vacate a drainage, access and utility easement located on the subject parcel. Pursuant to the Town's Code of Ordinances, the request was provided to appropriate parties for review of their respective areas of expertise, and no issues or concerns were identified. Please see the attached staff report and supporting documentation for more information.

**Suggested motion:** Approval of Resolution 2025-08 as presented.

**Requested by:** Ms. Rippey, Principal Planner  
Mr. Lear, Planning & Development Director

**Approved by:** Mr. Disher, Town Manager



## MEMORANDUM

### TOWN OF PONCE INLET, PLANNING AND DEVELOPMENT DEPARTMENT

*The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet obtain the greatest value for their tax dollar*

To: Michael E. Disher, AICP, Town Manager  
From: Patty Rippey, AICP, Principal Planner  
Through: Darren Lear, AICP, Planning & Development Director  
Date: July 10, 2025  
Subject: Resolution 2025-08 – Vacation of drainage, access and utility easement, Case No. VAC 5-2025, 4915 S. Atlantic Avenue.

---

**MEETING DATE:** July 17, 2025

---

#### 1 INTRODUCTION

2 Jessica Gow, Esquire, representing White Waves, LLC, owner of 4915 S. Atlantic Avenue, is  
3 requesting approval to vacate a drainage, access and utility easement located on the subject parcel.  
4 The subject property was once two separate lots that were later combined into one parcel with one  
5 address. The easement in question is located along the former side lot line that previously separated  
6 the two properties. Vacating the easement is a separate process from combining the lots, and  
7 easements dedicated to the Town must be officially vacated by the Town. If approved, the owner  
8 wishes to develop the property with one single-family structure. The area to be vacated measures  
9 15 feet wide running the length of the parcel for 876 feet.

#### 11 AUTHORITY AND PROCESS

12 Per Chapter 70, Article IV, Section 70-112 of the Code of Ordinances, the application for the  
13 vacation of a right-of-way or easement shall be reviewed by the Planning Board for  
14 recommendation to the Town Council. Pursuant to F.S. 177.101, the Town Council may adopt a  
15 resolution declaring such vacation or narrowing of public rights-of-way or easements. The  
16 Planning Board met on June 24, 2025, and voted 5-0 to recommend approval of the request to  
17 vacate the easement.

#### 19 PROPERTY OVERVIEW

20 *Subject Property.* The subject property is located on the east side of S. Atlantic Avenue. It is zoned  
21 “R-1” with a corresponding Future Land Use designation of *Low-Density Single-Family*  
22 *Residential*. The undeveloped parcel consists of 3.0 acres, of which approximately 1.4 acres is  
23 developable uplands. (**Attachment 1**).

### *Zoning of Adjacent Properties.*

The properties immediately to the north and south have the same zoning and Future Land Use designation as the subject property. The adjacent parcel to the south is undeveloped, while the property to the north has been developed with a single-family home. The properties immediately to the west are zoned “R-1”, Low Density Single-family Residential (**Attachment 2**) and have a corresponding Future Land Use Map designation of *Low Density Single-Family Residential* (**Attachment 3**). The Atlantic Ocean is situated east of the parcel. The properties to the south and southwest of the residential areas are zoned Public-Institutional consisting of the Batelle Memorial Institute, Marine Science Center and Lighthouse Point Park.

### *Easement Location*

The subject property includes a 15-foot-wide, 876-foot-long drainage, access and utility easement situated in the center of the parcel (**Attachment 4**). Drainage, access and utility easements, each seven and half feet wide, remain in place along the north and south side property lines of 4915 S. Atlantic Avenue. An existing 10-foot drainage, access and utility easement located along the frontage of the subject property will not be affected by the proposed vacation of the 15-foot-wide easement in the center of the property as shown on the Boundary Survey (**Attachment 5**) and noted in the Legal Description (**Attachment 6**).

### *Letters of No Objection*

The applicant provided the required letters of no objection by the applicable utility providers (**Attachment 7**).

## **DISCUSSION**

Pursuant to Chapter 70, Article IV, Section 70-112 of the Code of Ordinances, the vacation request documentation was provided to the Public Works Director, Police Chief, Fire Chief/Public Safety Director, Town Engineer and the City of Port Orange Public Utilities Department for review and comment based on their respective areas of expertise. The written responses identified no issues or concerns regarding the vacation of the subject property. The vacation will have no negative impacts on the existing and proposed utility infrastructure, right of convenient access, or engineering and related concerns. The proposed vacation will not affect ingress or egress to surrounding adjacent properties and will not be contrary to the public interest.

## **PUBLIC NOTICE**

A letter notifying contiguous property owners was mailed on June 27, 2025 via certified mail. The property was posted on July 2, 2025, with a public hearing notice stating the date and time of the Town Council meeting. The Town Council meeting was noticed in the *Daytona Beach News-Journal* on July 2, 2025, as well as on the Town’s website.

These efforts were made to ensure that the surrounding property owners were aware of the application and for them to have an opportunity to voice their concerns and desires.

## **RECOMMENDATION**

Staff recommends approval based on the findings of this report.



70



Patty Rippey, AICP, Principal Planner

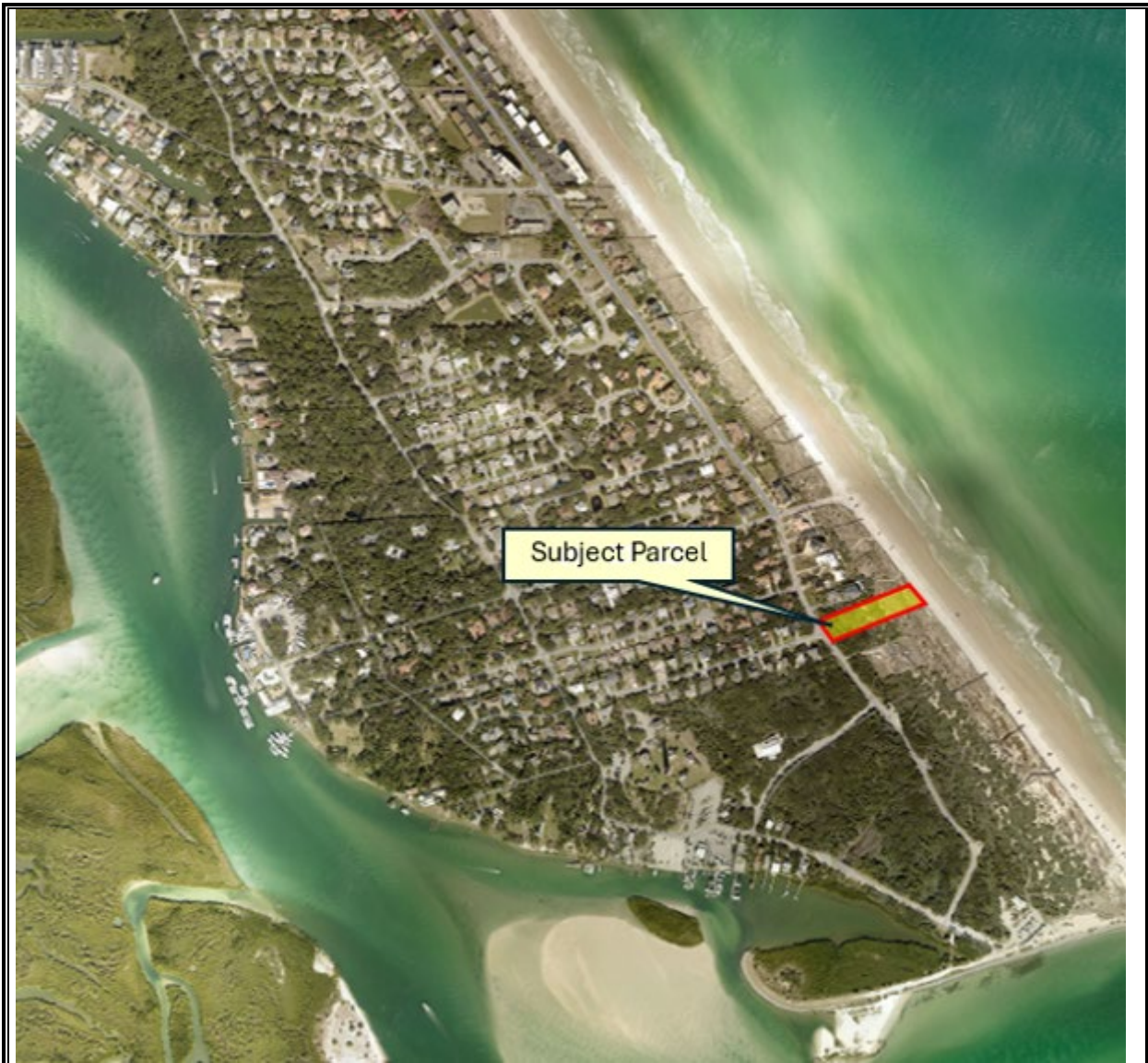
July 10, 2025

Date

Attachments:

1. Location map
2. Zoning Map
3. Future Land Use Map
4. Easement location map
5. Boundary Survey
6. Legal Description – 4915 S. Atlantic Avenue
7. Letters of No Objection Utility Providers

# ATTACHMENT 1



**Petitioners:** Jessica Gow, Esquire, Cobb Cole on behalf of White Waves LLC, property owner

**Summary of Request:** Vacation of 15-foot easement in the center of 4915 S. Atlantic Avenue.

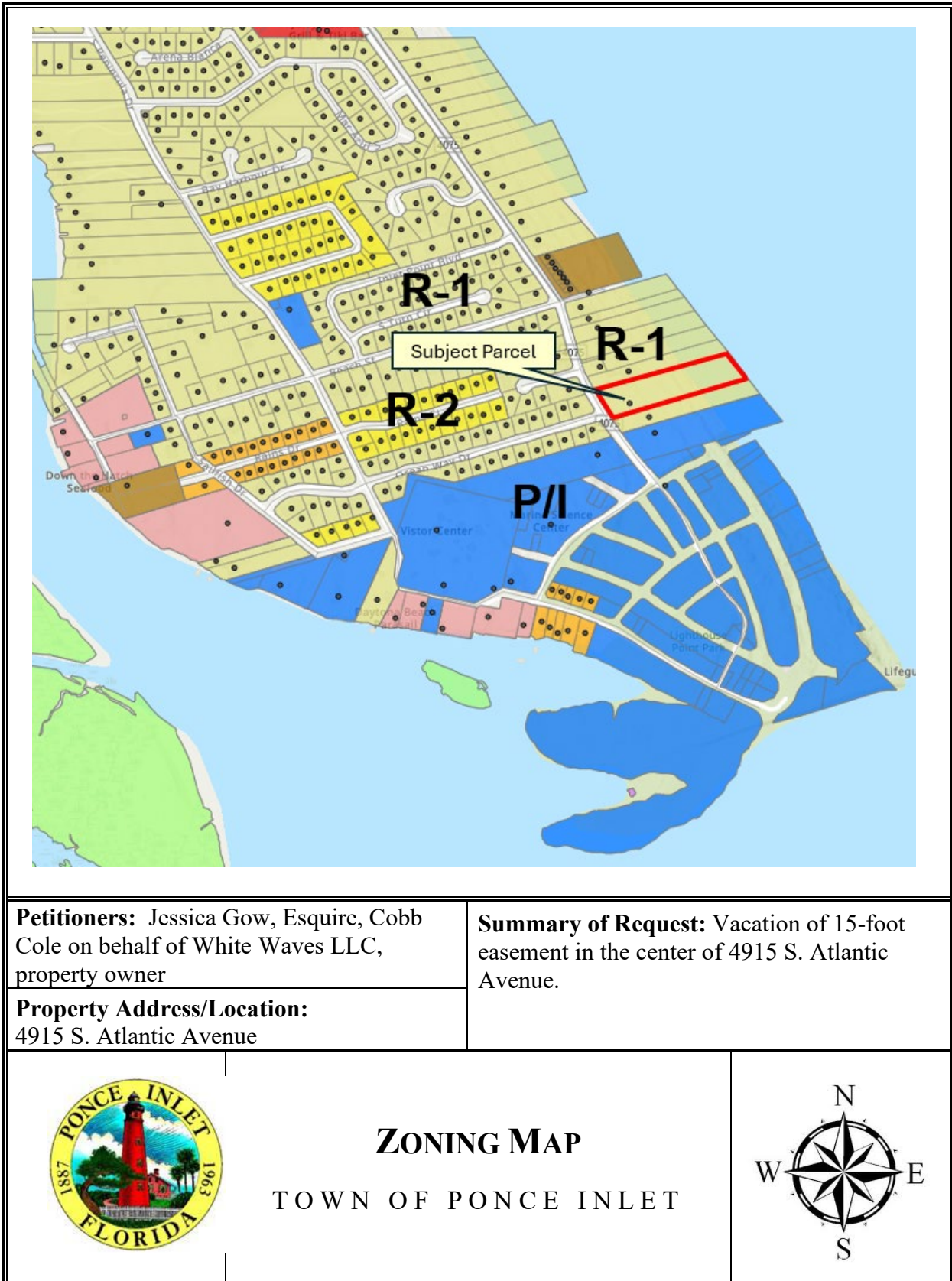
**Property Address/Location:**  
4915 S. Atlantic Avenue



## LOCATION MAP TOWN OF PONCE INLET

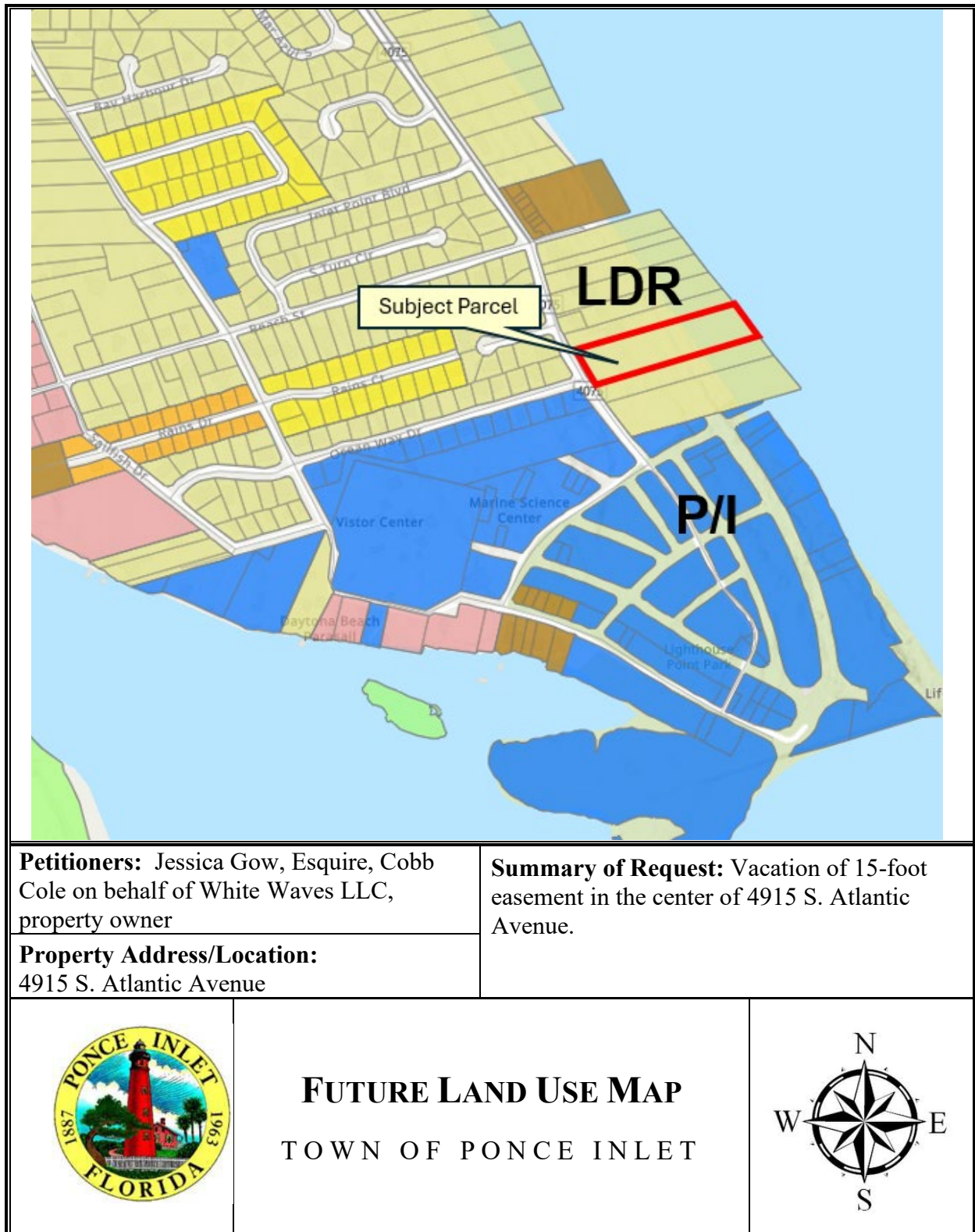


## ATTACHMENT 2





# ATTACHMENT 3



## ATTACHMENT 4



**Petitioners:** Jessica Gow, Esquire, Cobb Cole on behalf of White Waves LLC, property owner

**Summary of Request:** Vacation of 15-foot drainage and utility easement in the center of 4915 S. Atlantic Avenue.

**Property Address/Location:**  
4915 S. Atlantic Avenue

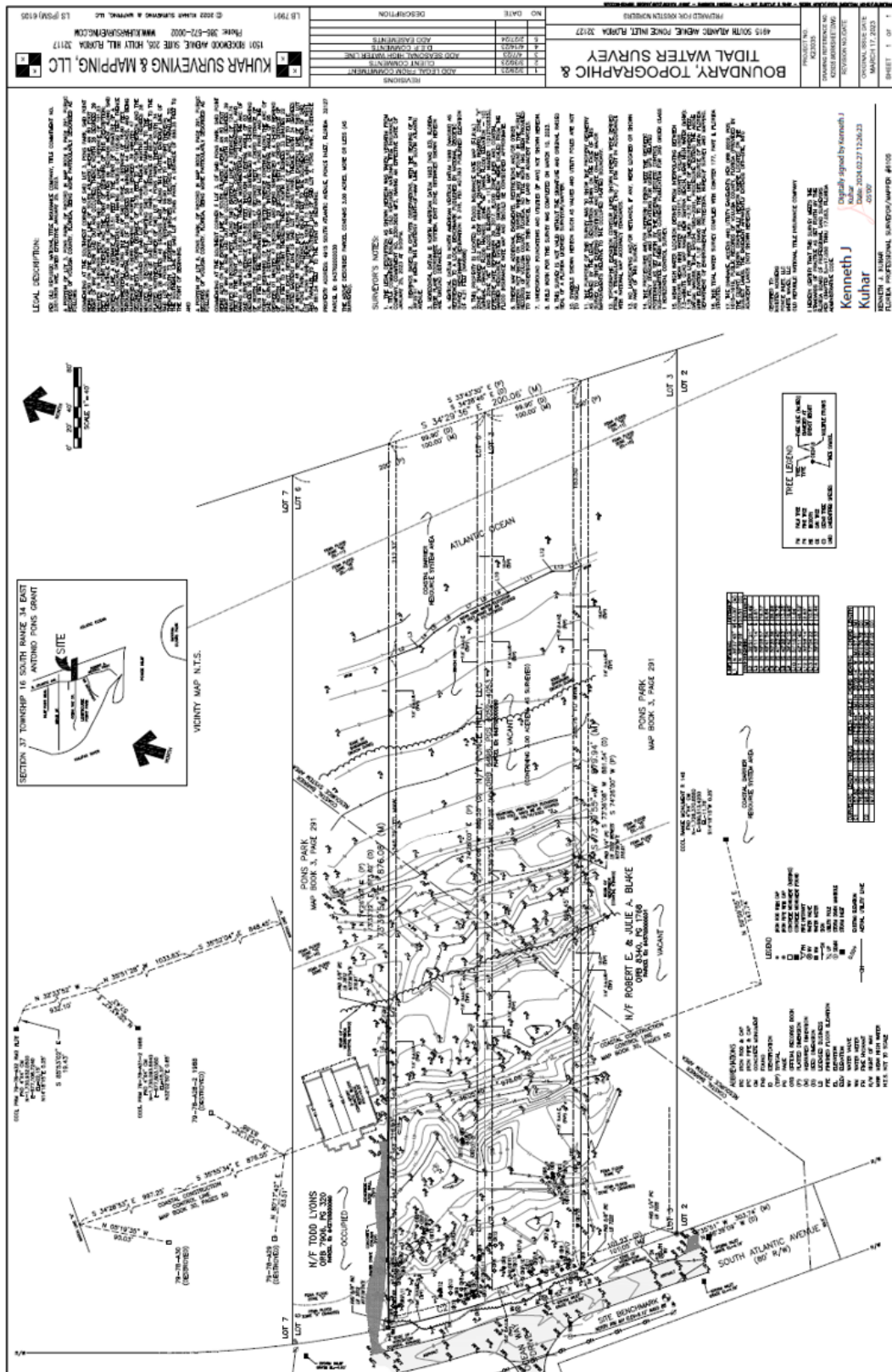


### EASEMENT LOCATION MAP TOWN OF PONCE INLET





# ATTACHMENT 5 BOUNDARY SURVEY



**ATTACHMENT 6**  
**LEGAL DESCRIPTION - 4915 S. ATLANTIC AVENUE**

**LEGAL DESCRIPTION:**

PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, TITLE COMMITMENT NO. 23013606 MFE, DATED EFFECTIVE JANUARY 25, 2023.

A PORTION OF LOT 3, PONS PARK, OF RECORD IN MAP BOOK 9, PAGE 291, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 3, PONS PARK, SAID POINT BEING ALSO ON THE EASTERLY LINE OF SOUTH ATLANTIC AVENUE, AN 80 FOOT RIGHT OF WAY AS NOW LAID OUT AND OCCUPIED; THENCE NORTH 36 DEGREES 39 MINUTES 09 SECONDS WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 101.23 FEET TO A POINT THEREON AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 36 DEGREES 39 MINUTES 09 SECONDS WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 23.51 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 1105.92 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 76.80 FEET, THROUGH A CENTRAL ANGLE OF 03 DEGREES 58 MINUTES 44 SECONDS, AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 34 DEGREES 39 MINUTES 47 SECONDS WEST, A CHORD DISTANCE OF 76.78 FEET TO A POINT THEREON AND THE NORTHWEST CORNER OF SAID LOT 3, PONS PARK; THENCE NORTH 73 DEGREES 36 MINUTES 08 SECONDS EAST, DEPARTING SAID CURVE, AND PARALLEL TO THE SOUTHERLY LINE OF SAID LOT 3, PONS PARK, A DISTANCE OF 881.54 FEET TO THE PLATTED NORTHEAST CORNER OF SAID LOT 3, PONS PARK; THENCE SOUTH 34 DEGREES 28 MINUTES 46 SECONDS EAST, ALONG THE PLATTED EASTERLY LINE OF SAID LOT 3, PONS PARK, A DISTANCE OF 99.90 FEET TO A POINT THEREON; THENCE SOUTH 73 DEGREES 36 MINUTES 08 SECONDS WEST, AND PARALLEL TO THE SOUTHERLY LINE OF SAID LOT 3, PONS PARK, A DISTANCE OF 880.35 FEET TO THE POINT OF BEGINNING.

AND

A PORTION OF LOT 6, PONS PARK, OF RECORD IN MAP BOOK 9, PAGE 291, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 3, OF SAID PONS PARK, SAID POINT BEING ALSO ON THE EASTERLY LINE OF SOUTH ATLANTIC AVENUE, AN 80 FOOT RIGHT OF WAY AS NOW LAID OUT AND OCCUPIED; THENCE NORTH 36 DEGREES 39 MINUTES 09 SECONDS WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 124.74 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 1105.92 FEET, THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 76.80 FEET, THROUGH A CENTRAL ANGLE OF 03 DEGREES 58 MINUTES 44 SECONDS, AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 34 DEGREES 39 MINUTES 47 SECONDS WEST, A CHORD DISTANCE OF 76.78 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, PONS PARK, AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 97.08 FEET, THROUGH A CENTRAL ANGLE OF 05 DEGREES 01 MINUTES 47 SECONDS, AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 30 DEGREES 09 MINUTES 29 SECONDS WEST, A CHORD DISTANCE OF 97.05 FEET TO A POINT THEREON; THENCE NORTH 73 DEGREES 33 MINUTES 22 SECONDS EAST, DEPARTING SAID CURVE, A DISTANCE OF 873.62 FEET TO THE PLATTED EASTERLY LINE OF SAID LOT 6, PONS PARK; THENCE SOUTH 34 DEGREES 28 MINUTES 46 SECONDS EAST, ALONG SAID PLATTED EASTERLY LINE OF SAID LOT 6, PONS PARK, A DISTANCE OF 99.90 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6, PONS PARK; THENCE SOUTH 73 DEGREES 36 MINUTES 08 SECONDS WEST, AND PARALLEL TO THE SOUTHERLY LINE OF SAID LOT 3, PONS PARK, A DISTANCE OF 881.54 FEET TO THE POINT OF BEGINNING.

PROPERTY ADDRESS: 4915 SOUTH ATLANTIC AVENUE, PONCE INLET, FLORIDA 32127

PARCEL ID: 643702000030

THE ABOVE DESCRIBED PARCEL CONTAINS 3.00 ACRES, MORE OR LESS (AS SURVEYED).

**ATTACHMENT 7**  
**LETTERS OF NO OBJECTION – UTILITY PROVIDERS**



**Easement Vacate Request Form**

**EASEMENT LOCATION**

Homeowner's Name	White Waves LLC		
Street Address	4915 S,Atlantic Ave		
City, State, Zip Code	Ponce Inlet	FL	32127
NODE Print Attached:	YES	NODE #	4400037

Site Plan/Plat Mapped Attached: (With area of concern highlighted)	YES	LEGAL DESCRIPTION ATTACHED	YES
---	-----	----------------------------------	-----

Is Spectrum OK to Vacate (Y or N) YES

If Not able to Vacate Reason Why:

**Mailing Address Information**

Representatives Name	SAME AS ABOVE
Company Name	
Mailing Address	
City, State, Zip Code	
email address if provided:	<a href="mailto:Debi.LaCroix@CobbCole.com">Debi.LaCroix@CobbCole.com</a>
Construction Coordinator Name:	Lionel Agosto
Date Received:	9/6/2024





Debi LaCroix  
Florida Certified Paralegal  
Cobb Cole  
One Daytona Boulevard, Suite 600  
Daytona Beach, FL 32114  
(D) 386-323-9244  
Email: Debi.Lacroix@cobbcole.com

RE: 4915 S Atlantic Ave, Ponce Inlet, FL, 32127

July 26, 2024

This is a "Letter of No Objection" to the requested vacation of easement for the below highlighted area located on Exhibit A in the City of Ponce Inlet in Volusia County. Please accept this letter as notification.

Sincerely,

Jacob Brooks  
AT&T GEO Engineer  
268 N Ridgewood Ave  
Daytona Beach, FL 32114  
c. (386) 843-0316

Exhibit A



## Tequila Nelson

---

**From:** Debi LaCroix  
**Sent:** Tuesday, July 2, 2024 1:53 PM  
**To:** Jessica Gow; Tequila Nelson  
**Subject:** Fwd: White Waves, LLC - Partial Utility Easement Vacation  
**Attachments:** Letter received from Cobb Cole re easement release.pdf

One down. 3 to w!  
Get [Outlook for iOS](#)



Debi LaCroix  
Florida Certified Paralegal  
Cobb Cole  
One Daytona Boulevard, Suite 600  
Daytona Beach, FL 32114  
(D) 386-323-9244 | (F) 386-323-9207  
[Website](#)

*Cobb Cole's Daytona Office has relocated. We look forward to hosting you in our new location.  
New Address: One Daytona Boulevard, Suite 600, Daytona Beach, FL 32114  
(Across from the Daytona International Speedway)*

Notice: The information contained in this email transmission is intended by the sender for the use of the named individual or entity to which it is directed and may contain information that is privileged or otherwise confidential. It is not intended for transmission to, or receipt by, anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It should not be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying or forwarding it, and notify the sender of the error by reply email or by calling Cobb Cole at 386-255-8171, so that we can update our address records accordingly.

---

**From:** Reed, Junos <jureed@port-orange.org>  
**Sent:** Tuesday, July 2, 2024 1:00:17 PM  
**To:** Debi LaCroix <Debi.Lacroix@cobbcole.com>  
**Cc:** Balmer, Shannon <sbalmer@port-orange.org>; Parnell, Steve <sparnell@port-orange.org>  
**Subject:** White Waves, LLC - Partial Utility Easement Vacation

Ms. LaCroix,

We are in receipt of your letter and associated attachments regarding the request to vacate a Utility Easement dedicated to the Town of Ponce Inlet. In the letter you have requested a letter of no objection from the City of Port Orange. Please consider this email our letter of no objection to the vacation of the Utility Easement.

Regards,

**Junos Reed, P.E.**  
City Engineer  
City of Port Orange

386-506-5754 office  
386-212-4533 cell



## Tequila Nelson

---

**From:** Jaeger, Matthew <Matthew.Jaeger@fpl.com>  
**Sent:** Monday, February 24, 2025 1:20 PM  
**To:** Tequila Nelson  
**Subject:** RE: Ltr. to Utility provider-Right of Way Vacation-4915 S. Atlantic Ave.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Tequila,

FPL has no objections. Please keep in mind, the customer will need to coordinate with FPL to get power onto the property and secure a new easement before they have immediate need for power. Do you have any record of a platted easement at that property, or was that just the general utility easement?

Please let me know if you have any questions.

Best Regards,

Matthew Jaeger  
Associate Engineer  
Port Orange Service Center – FPL  
Office: (386) 457 - 3145  
[Matthew.Jaeger@fpl.com](mailto:Matthew.Jaeger@fpl.com)

*Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Engineering Leader Joshua Zehnder at (386) 586-6436, or [Joshua.Zehnder@fpl.com](mailto:Joshua.Zehnder@fpl.com). Visit the new FPL Project Portal at [FPL.com/construction](https://fpl.com/construction) to manage your FPL residential and commercial construction projects including milestones. You can pay construction invoices online at <https://internet.speedpay.com/fplconstruction/#/login>*

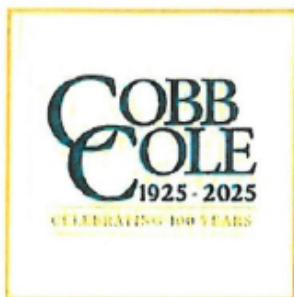


**From:** Tequila Nelson <tequila.nelson@cobbcole.com>  
**Sent:** Monday, February 24, 2025 1:14 PM  
**To:** Jaeger, Matthew <Matthew.Jaeger@fpl.com>  
**Subject:** RE: Ltr. to Utility provider-Right of Way Vacation-4915 S. Atlantic Ave.  
**Importance:** High

Matthew,

I just left you a voicemail regarding this site. If you can please let me know if you have any objections.

Thanks,



**TEQUILA NELSON**  
**LEGAL ASSISTANT & PARALEGAL**

[Tequila.Nelson@CobbCole.com](mailto:Tequila.Nelson@CobbCole.com)

One Daytona Boulevard, Suite 600  
Daytona Beach, FL 32114

Office: 386-323-9264  
[CobbCole.com](http://CobbCole.com)



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From: Tequila Nelson <[tequila.nelson@cobbcole.com](mailto:tequila.nelson@cobbcole.com)>  
Sent: Wednesday, February 19, 2025 9:47 AM  
To: Jaeger, Matthew <[Matthew.Jaeger@fpl.com](mailto:Matthew.Jaeger@fpl.com)>  
Subject: RE: Ltr. to Utility provider-Right of Way Vacation-4915 S. Atlantic Ave.  
Importance: High

Good morning,

Please consider this a follow up on a no objection letter for the referenced above site.

Thanks,



**TEQUILA NELSON**  
**LEGAL ASSISTANT & PARALEGAL**

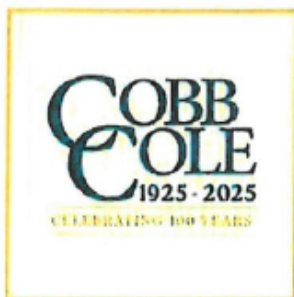
[Tequila.Nelson@CobbCole.com](mailto:Tequila.Nelson@CobbCole.com)

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Daytona Beach, FL 32114

Office: 386-323-9264  
[CobbCole.com](http://CobbCole.com)







**TEQUILA NELSON**  
**LEGAL ASSISTANT & PARALEGAL**

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Daytona Beach, FL 32114

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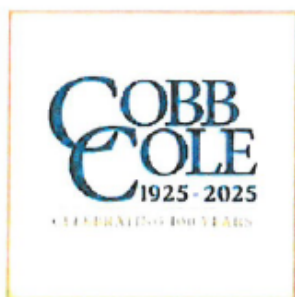
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From: Tequila Nelson <[tequila.nelson@cobbcole.com](mailto:tequila.nelson@cobbcole.com)>  
Sent: Wednesday, February 19, 2025 9:47 AM  
To: Jaeger, Matthew <[Matthew.Jaeger@fpl.com](mailto:Matthew.Jaeger@fpl.com)>  
Subject: RE: Ltr. to Utility provider-Right of Way Vacation-4915 S. Atlantic Ave.  
Importance: High

Good morning,

Please consider this a follow up on a no objection letter for the referenced above site.

Thanks,



**TEQUILA NELSON**  
**LEGAL ASSISTANT & PARALEGAL**

[Tequila.Nelson@CobbCole.com](mailto:Tequila.Nelson@CobbCole.com)

One Daytona Boulevard, Suite 600  
Daytona Beach, FL 32114

Office: 386-323-9264  
[CobbCole.com](http://CobbCole.com)





Tequila Nelson  
Legal Assistant  
Cobb Cole  
One Daytona Boulevard, Suite 600  
Daytona Beach, FL 32114  
(D) 386-323-9264 | (F) 386-323-9207  
[Website](#)

*Cobb Cole's Daytona Office has relocated. We look forward to hosting you in our new location.  
New Address: One Daytona Boulevard, Suite 600, Daytona Beach, FL 32114  
(Across from the Daytona International Speedway)*

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**From:** Tequila Nelson <[tequila.nelson@cobbcole.com](mailto:tequila.nelson@cobbcole.com)>  
**Sent:** Thursday, September 5, 2024 10:12 AM  
**To:** [matthew.jaeger@fpl.com](mailto:matthew.jaeger@fpl.com); [moosa.atiya@fpl.com](mailto:moosa.atiya@fpl.com)  
**Subject:** RE: Ltr. to Utility provider-Right of Way Vacation-4915 S. Atlantic Ave.  
**Importance:** High

Good morning,

Please consider this a follow up regarding the attached letter.

Thanks,



Tequila Nelson  
Legal Assistant  
Cobb Cole  
One Daytona Boulevard, Suite 600  
Daytona Beach, FL 32114  
(D) 386-323-9264 | (F) 386-323-9207  
[Website](#)

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From: Tequila Nelson <tequila.nelson@cobbcole.com>  
Sent: Friday, August 23, 2024 10:57 AM  
To: [matthew.jaeger@fpl.com](mailto:matthew.jaeger@fpl.com)  
Subject: Ltr. to Utility provider-Right of Way Vacation-4915 S. Atlantic Ave.  
Importance: High

Matthew,

Can you assist with this request regarding an easement vacation for 4915 S. Atlantic Ave., Ponce Inlet FL.

If this isn't your area, can you point me in the right direction.

Thanks,



Tequila Nelson  
Legal Assistant  
Cobb Cole  
One Daytona Boulevard, Suite 600  
Daytona Beach, FL 32114  
(D) 386-323-9264 | (F) 386-323-9207  
[Website](#)

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**RESOLUTION NO. 2025-08**

**A RESOLUTION OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, VACATING A 15 FOOT ACCESS, DRAINAGE AND UTILITY EASEMENT IN THE CENTER OF THE PARCEL LOCATED AT 4915 SOUTH ATLANTIC AVENUE PURSUANT TO CHAPTER 70, ARTICLE IV., SECTION 70.111 OF THE TOWN OF PONCE INLET CODE OF ORDINANCES; AUTHORIZING EXECUTION OF EFFECTING DOCUMENTS; PROVIDING LEGISLATIVE FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Jessica Gow, Esquire, agent on behalf of White Waves, LLC, property owner, is requesting to vacate a 15-foot access, drainage, and utility easement in the center of the parcel located at 4915 S. Atlantic Avenue, Ponce Inlet, Florida for purposes of construction of a single-family residence; and

**WHEREAS**, the application requesting the vacation of the subject easement has been reviewed by the Town Engineer and applicable Town departments, and was made available to other parties requesting information or a copy of the application; and

**WHEREAS**, the Town has received letters of no objection from all applicable franchise utility operators and the City of Port Orange Public Utilities Department; and

**WHEREAS**, on June 24, 2025, the Planning Board reviewed the proposed vacation at a duly noticed public hearing and recommended approval to the Town Council; and

**WHEREAS**, per Section 70-112 (c) of the Town of Ponce Inlet Code of Ordinances, due public notice was provided to adjacent and affected property owners and was published in a newspaper of general circulation at least 15 days prior to the public hearing; and

**WHEREAS**, Section 70-112 (d) of the Town of Ponce Inlet Code of Ordinances authorizes the Town Council to adopt a resolution declaring a vacation of easement(s); and

**WHEREAS**, this Resolution serves the aforementioned purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, FLORIDA AS FOLLOWS:**

**SECTION 1. Recitals.** The recitals set forth above are hereby adopted as the findings of the Town Council of the Town of Ponce Inlet

**SECTION 2. Vacation of access, drainage, and utility easement.** The Town Council of the Town of Ponce Inlet, Florida, hereby vacates the aforementioned 15-foot



access, drainage, and utility easement, the legal description of which is attached hereto as Exhibit "A."

**SECTION 3. Severability.** If any section, subsection, sentence, clause, phrase or portion of this resolution, or application hereof, is for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or provision and such holding shall not affect the validity of the remaining portions or applications hereof.

**SECTION 4. Conflicts.** All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5. Effective Date.** This resolution shall become immediately effective upon its adoption.

**SECTION 6. Recordation.** The town clerk shall furnish copies of this resolution to the clerk of the circuit court for recording, to the county property appraiser, and after recording by the clerk's office, to all previously noticed property owners by first class mail.

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that said Resolution be adopted. A vote of the Town Council on said motion resulted as follows:

Mayor Paritsky, Seat #1	_____
Councilmember Milano Seat #2	_____
Councilmember White, Seat #3	_____
Councilmember Villanella, Seat #4	_____
Vice-Mayor Smith, Seat #5	_____

Passed this \_\_\_\_ day of \_\_\_\_\_, 2025.

Town of Ponce Inlet, Florida

\_\_\_\_\_  
Lois A. Paritsky, Mayor

ATTEST:

\_\_\_\_\_  
Kim Cherbano, CMC  
Town Clerk

## EXHIBIT "A"

VACATION OF THE 15 FOOT ACCESS, DRAINAGE & UTILITY EASEMENT OVER THE CENTER OF THE PARCEL, AS SHOWN ON THE PLAT OF 4915 SOUTH ATLANTIC AVENUE, AS RECORDED IN MAP BOOK 8717, PAGE 538, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

### LEGAL DESCRIPTION:

PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, TITLE COMMITMENT NO. 23013606 MFE, DATED EFFECTIVE JANUARY 25, 2023.

A PORTION OF LOT 3, PONS PARK, OF RECORD IN MAP BOOK 9, PAGE 291, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 3, PONS PARK, SAID POINT BEING ALSO ON THE EASTERLY LINE OF SOUTH ATLANTIC AVENUE, AN 80 FOOT RIGHT OF WAY AS NOW LAID OUT AND OCCUPIED; THENCE NORTH 36 DEGREES 39 MINUTES 09 SECONDS WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 101.23 FEET TO A POINT THEREON AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 36 DEGREES 39 MINUTES 09 SECONDS WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 23.51 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 1105.92 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 76.80 FEET, THROUGH A CENTRAL ANGLE OF 03 DEGREES 58 MINUTES 44 SECONDS, AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 34 DEGREES 39 MINUTES 47 SECONDS WEST, A CHORD DISTANCE OF 76.78 FEET TO A POINT THEREON AND THE NORTHWEST CORNER OF SAID LOT 3, PONS PARK; THENCE NORTH 73 DEGREES 36 MINUTES 08 SECONDS EAST, DEPARTING SAID CURVE, AND PARALLEL TO THE SOUTHERLY LINE OF SAID LOT 3, PONS PARK, A DISTANCE OF 881.54 FEET TO THE PLATTED NORTHEAST CORNER OF SAID LOT 3, PONS PARK; THENCE SOUTH 34 DEGREES 28 MINUTES 46 SECONDS EAST, ALONG THE PLATTED EASTERLY LINE OF SAID LOT 3, PONS PARK, A DISTANCE OF 99.90 FEET TO A POINT THEREON; THENCE SOUTH 73 DEGREES 36 MINUTES 08 SECONDS WEST, AND PARALLEL TO THE SOUTHERLY LINE OF SAID LOT 3, PONS PARK, A DISTANCE OF 880.35 FEET TO THE POINT OF BEGINNING.

AND

A PORTION OF LOT 6, PONS PARK, OF RECORD IN MAP BOOK 9, PAGE 291, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 3, OF SAID PONS PARK, SAID POINT BEING ALSO ON THE EASTERLY LINE OF SOUTH ATLANTIC AVENUE, AN 80 FOOT RIGHT OF WAY AS NOW LAID OUT AND OCCUPIED; THENCE NORTH 36 DEGREES 39 MINUTES 09 SECONDS WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 124.74 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 1105.92 FEET, THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 76.80 FEET, THROUGH A CENTRAL ANGLE OF 03 DEGREES 58 MINUTES 44 SECONDS, AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 34 DEGREES 39 MINUTES 47 SECONDS WEST, A CHORD DISTANCE OF 76.78 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, PONS PARK, AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 97.08 FEET, THROUGH A CENTRAL ANGLE OF 05 DEGREES 01 MINUTES 47 SECONDS, AND BEING SUBTENDED BY A CHORD BEARING OF NORTH 30 DEGREES 09 MINUTES 29 SECONDS WEST, A CHORD DISTANCE OF 97.05 FEET TO A POINT THEREON; THENCE NORTH 73 DEGREES 33 MINUTES 22 SECONDS EAST, DEPARTING SAID CURVE, A DISTANCE OF 873.62 FEET TO THE PLATTED EASTERLY LINE OF SAID LOT 6, PONS PARK; THENCE SOUTH 34 DEGREES 28 MINUTES 46 SECONDS EAST, ALONG SAID PLATTED EASTERLY LINE OF SAID LOT 6, PONS PARK, A DISTANCE OF 99.90 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6, PONS PARK; THENCE SOUTH 73 DEGREES 36 MINUTES 08 SECONDS WEST, AND PARALLEL TO THE SOUTHERLY LINE OF SAID LOT 3, PONS PARK, A DISTANCE OF 881.54 FEET TO THE POINT OF BEGINNING.

PROPERTY ADDRESS: 4915 SOUTH ATLANTIC AVENUE, PONCE INLET, FLORIDA 32127



**Meeting Date: 7/17/2025**

**Agenda Item: 11-A**

## **Report to Town Council**

**Topic:** Resolution 2025-07 – Adopting a proposed millage rate for Fiscal Year 2025/2026 and establishing dates for the tentative and final millage rate public hearings.

**Summary:** The budget for fiscal year 2025/2026 is balanced with a proposed millage rate of 6.25, estimated to produce \$8,281,730 in ad valorem revenue at a 95% collection rate. The proposed millage rate is 0.51% above the rolled-back rate. Please see the attached staff report and supporting documentation for more information.

**Suggested motion:** Approval of Resolution 2025-07 as presented.

**Requested by:** Mr. Disher, Town Manager

**Approved by:** Mr. Disher, Town Manager



**MEMORANDUM**  
**OFFICE OF THE TOWN MANAGER**

*The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.*

**TO:** Town Council  
**FROM:** Michael E. Disher, AICP, Town Manager  
**DATE:** July 9, 2025  
**SUBJECT:** Res. 2025-07 - Proposed Millage Rate for FY 25/26

---

**MEETING DATE:** July 17, 2025

---

The budget for fiscal year 25/26 is balanced with a proposed millage rate of 6.25, estimated to produce \$8,281,730 in ad valorem revenue at a 95% collection rate. The Town's current millage rate is 6.4559 and the rolled-back rate (RBR) is 6.2180. The proposed millage rate is 0.51% above RBR.

According to the Volusia County Property Appraiser's preliminary tax roll, the collective taxable value of property in Ponce Inlet has increased by 4.62% from last year. Per state law, homesteaded properties will be capped at a taxable value increase of 3%; therefore, with the rate of 6.25 mills, a homesteaded property with a prior year value of \$500,000 would pay a maximum of \$1 more in taxes next year, compared to the previous year. A non-homesteaded property would be capped at a taxable value increase of 10%; therefore, a non-homesteaded property with a prior year taxable value of \$500,000 would see a maximum tax increase of \$210.

Attached is a copy of the memorandum which provides a complete summary of the proposed budget, a full reporting of the town's reserves, a spreadsheet showing millage rate calculations, and a spreadsheet showing the general maximum impact of proposed millage rate.

Resolution 2025-07 has been prepared for the Town Council's approval of a proposed maximum millage rate. At this hearing, the Town Council has the ability to adopt or modify the proposed millage rate; but once approved via this resolution, it cannot be raised further. The Town Council may select a lower millage rate at subsequent budget hearings. If approved, the proposed maximum millage rate will be advertised by the Volusia County Property Appraiser on the proposed property tax bills, which his office mails to property owners in August.

Resolution 2025-07 also provides the dates of two public hearings for the millage rate and budget adoption in September. There are several statutory elements which go into the selection of viable dates, such as not conflicting with the budget hearing dates of Volusia County and the Volusia County School Board, along with advertising period requirements. Based on the information we currently have, both dates proposed will meet all criteria. Should any issues arise in the coming months which require either of these proposed dates to be changed, this resolution provides that flexibility.



**MEMORANDUM  
OFFICE OF THE TOWN MANAGER**

*The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.*

**TO:** Town Council  
**FROM:** Michael E. Disher, AICP, Town Manager  
**DATE:** July 8, 2025  
**SUBJECT:** Final Budget for FY 23/24, Adopted and Amended Budgets for FY 24/25, and Proposed Budget for FY 25/26

---

**WORKSHOP DATE:** July 15, 2025

---

Introduction

This budget is presented to cover three fiscal years – the Final budget for FY 23/24, the Adopted and Amended budgets for FY 24/25, and the Proposed budget for FY 25/26. The FY 23/24 and FY 24/25 budgets are presented for information only. For FY 24/25, the adopted budget, mid-year amended budget (per Res. 2025-05) and estimated final amended budget are provided for comparison. The only two budget years that the Council will be asked to adopt in September are the Amended FY 24/25 and the Proposed FY 25/26.

Background

Each year, preparation of next year's budget begins with meetings of the Essential Services Advisory Board (ESAB) and Cultural Services Board (CSB) to review budgetary proposals from the Fire, Police, Public Works, and Cultural Services Departments. The ESAB met on January 9<sup>th</sup> and March 6<sup>th</sup>, while the CSB met on January 6<sup>th</sup>, March 3<sup>rd</sup>, and June 2<sup>nd</sup>. The proposals for next fiscal year were then ranked in terms of priority and then forwarded to the Town Council at the June 10<sup>th</sup> Preliminary Budget Workshop.

On April 17, 2025, the Town Council was presented with the results of the audit of the FY 23/24 financial statements. For the 9<sup>th</sup> year in a row, the Town has received a perfect, comment-free audit.

At the June 10, 2025 preliminary budget workshop, the Council reviewed the Town's reserve fund levels; the status of reimbursements from 2024 hurricane expenses; anticipated cost increases for insurance and utility rates; existing obligations such as loans and grant matches; the current tax

base; and revenue projections. The Council then reviewed a list of significant proposed purchases, construction projects, and professional services to maintain or enhance levels of service for the next fiscal year. These items included the prioritized list recommended by the ESAB. The Council indicated its support for these items and directed staff to prepare the proposed budget accordingly.

#### Town Reserves, Debt, & Finance Practices

Per the Town's Reserve Policy, Res. 09-04, reserves are to be used, "...to mitigate current and future risks such as revenue shortfalls, natural disasters, unanticipated expenditures, and to ensure stable tax rates." The policy requires the Town to maintain reserves sufficient to cover 3-9 months of operating expenses. The Town's reserve levels per the audit of FY 23/24 are shown within the budget document in the revenue reserve line of each fund. At the beginning of FY 24/25, the Town's stabilization reserve and other unassigned fund balance was \$5,352,340, which equates to a 60% reserve or 7.3 months. This represents an increase of \$1,108,116 from the previous year, which was calculated at a 53% reserve or 6.4 months. A complete list of the town's current reserves has been provided on **Attachment 1** of this memo and also within the budget document in the revenue reserve line of each fund.

The town's debt total is currently \$2,367,396. The 2005 Town Hall loan was paid in full in FY 24/25, and the 2006 Stormwater Improvements loan will be paid off in FY 25/26. The 2017 Water System Improvements loan has 12 years remaining. In October 2024, the Town Council approved a seven-year financing plan for a new Quint 75 Fire Apparatus, the first payment of which is due in November 2025.

Loan	Annual Payment	Years Remaining (out of 20)	Total Remaining Payment
Stormwater Improvements	\$156,587	1 out of 20	\$156,587
Water System Improvements	\$61,828	12 out of 20	\$741,936
Quint 75 Fire Apparatus	\$209,839	7 out of 7	\$1,468,873
<b>TOTAL</b>	<b>\$428,254</b>		<b>\$2,367,396</b>

In addition, the Town has pledged a 15% grant match for the S. Peninsula sidewalk project, with \$282,680 expected to be paid by the end of FY 24/25 and \$995,390 remaining for FY 25/26.

Due to its strict adherence to standard governmental accounting practices and purchasing procedures, the town has received perfect, comment-free audits for the last 9 years. Management closely monitors policies and practices from all departments to ensure the protection of the Town's finances. This combination of reserves, low debt, and history of perfect audits demonstrates that the Town remains in an excellent financial position.

#### Proposed Budget for FY 24/25

With a limited number of revenue sources, the Town is highly dependent on ad valorem taxes to fund its expenditures and services. In all, ad valorem taxes will comprise 78% of all anticipated General Fund revenue in the coming fiscal year. According to the Volusia County Property Appraiser's preliminary tax roll, the taxable value of property in Ponce Inlet has increased by

4.62% from \$1,333,167,714 last year to \$1,394,817,683. The remainder of incoming revenue will mostly be received from sales taxes, services charges, permit fees, interest earnings, and grants.

The budget for Fiscal Year 25/26 is balanced with a proposed millage rate of 6.25, which is intended to maintain or enhance the level of service provided by the Town government to its residents and property owners. At a 95% collection rate, the proposed millage will produce \$8,281,730 in ad valorem revenue, which is \$121,716 less than the current fiscal year. The Town's current millage rate is 6.4559 and the rolled-back rate (RBR) is 6.2180. The proposed millage rate is 0.51% above RBR. **Attachment 2** shows the calculation of revenue at different millage rates.

Pursuant to state law, homesteaded properties (approximately 46% of total households) will be capped at a taxable value increase of 3%. A homesteaded property with a prior year value of \$500,000 would pay a maximum of \$1 more in taxes next year, compared to the previous year. Non-homesteaded properties (approximately 54% of total households) are capped at a 10% increase. A non-homesteaded property with a prior year value of \$500,000 would pay a maximum estimated \$210 more. The impact of the 6.25 millage rate on properties at various values is provided with **Attachment 3**.

#### Multi-Department Costs

Certain types of expenditures have an impact on multiple departments or the entire organization. These include the cost of employee salaries and benefits, utilities, insurance, and fuel. The proposed FY 25/26 budget accounts for these general costs in addition to the specific requests from each department.

- The budget includes a 7.5% raise for public safety employees, based on most recent collective bargaining discussions and current employee market conditions for these types of positions. A 3% raise is proposed for general employees, although this may need to be increased for certain positions following the results of the salary survey now in progress.
- The Town's required contribution for FRS (Florida Retirement System) is increasing 3% for Regular employees, 7.3% for Special Risk employees, and 0.5% for Senior Mgmt. These amounts are dictated to participating local governments each year by the State of Florida.
- Employee health insurance is increasing 4.7%.
- Property insurance costs have been estimated to increase by 10%.
- Overall insurance costs (worker's comp., liability, vehicles, cybersecurity, flood, etc.) have been estimated to increase by 10%.
- Water, sewer, and electric costs are increasing approximately 3%.
- Fuel costs are estimated to decrease slightly or stay the same as FY 25/26, based on EIA (U.S. Energy Information Administration) forecast for 2025.

#### Highlights

In addition to the costs, obligations, and debt service noted above, the proposed budget includes requests for capital purchases, projects, and services for the next fiscal year. Purchases can be thought of as tangible equipment, such as new vehicles or HVAC units. Projects involve construction, such as the S. Peninsula sidewalk expansion or significant maintenance activities like

roof replacement. Services can include professional work by the Town engineer or other consultants to develop designs for future construction, plans for long-term resiliency, or other tasks that cannot be completed by Town staff. The level of service provided by the Town is a function of the purchases, projects, and staffing budgeted each year. The majority of items on this list were either prioritized by the ESAB, recommended by the Cultural Services Board, tied to a Council goal, or already authorized by the Town Council.

#### Purchases/Equipment (\$537,350)

- Purchase of undeveloped property for future stormwater improvements (Land Acquisition fund) \$360,000
- Buyout of 3 leased vehicles in Public Works/Water and Fire Depts. \$61,350
- Replacement patrol vehicle \$50,000  
(Land Acquisition fund and Public Safety funds)
- Police station HVAC unit replacement \$48,000  
(Capital Facility Equipment & Maintenance fund)
- Public Works fuel pump replacement \$18,000

#### Projects/Construction (\$5,329,550)

- Septic-to-sewer project, Phase 1 \$5,214,450  
(FDEP 100% principal forgiveness loan, 312 fund)
- Old Carriage Rd. exfiltration system \$76,100  
(Phase 2 of storm-drain one-way valves installation, including \$44,400 carryover)
- Resurface tennis courts at Pollard Park \$20,000
- Beach Street stormwater pond expansion (Land Acquisition) \$19,000

#### Professional Services (\$125,000)

- Site feasibility study for replacement fire station \$50,000
- Stormwater utility Phase 2 implementation \$50,000
- CRS (Community Rating System) consultant \$25,000

#### Other Notable Requests (\$243,187)

- Contractual services for financial auditors \$45,000
- Government Affairs consultant (lobbyist) \$36,000
- Interior refurbishment at Community Center \$28,000
- Backflow preventer replacements (15, from Water R&R fund) \$18,000
- Forerunner CRS software \$17,000
- Repair gazebo roofs at Ponce Preserve \$17,000
- Security/access control equipment for the fire station \$15,000
- Annual contribution to the First Step homeless shelter \$14,187
- Replacement ground sign at Community Center \$12,000
- Sailfish Drive intersection stabilization at Beach St. and S. Peninsula Dr. \$11,000
- Hosting Volusia League of Cities dinner (every 3 yrs.) \$10,000  
((\$7,600+ to be reimbursed or sponsored))



- Point-to-point wireless link from the fire station to Public Works, continuation of backup network project \$10,000
- New playground fence at Pollard Park \$10,000

#### Carry-forward requests from FY 24/25

There are several projects budgeted in FY 25/26 that are not expected to be finished by the end of the current fiscal year. When this happens, the remaining funding for these projects is transferred to the following fiscal year. These projects are listed in the budget document as carry-forward items. Because the money has already been appropriated and collected, carrying it forward to the next fiscal year has no impact on the proposed millage rate for next fiscal year. These projects include:

- Design and construction of Public Works replacement Building “B” \$160,235
- Old Carriage Rd. exfiltration system \$44,400  
(Phase 2 of storm-drain one-way valve installation)

#### Special Funds

Besides the General Fund, the Town’s budget also includes 26 separate special funds. These special funds exist for specific purposes, such as:

- 1) to receive revenue from non-ad valorem sources, such as the Local Option Gas Tax funds and Land Acquisition Fund, which also have restrictions on how such funds can be used;
- 2) to pay for on-going operating expenses related to a specific Town function or service, such as the Water Operations and Maintenance Fund;
- 3) to ensure money is saved over time for large expenditures, such the Public Safety Equipment Fund;
- 4) to account for expenditures and reimbursements for a one-time project or event, such as the S. Peninsula Sidewalk Fund and the Hurricane Ian Fund; and
- 5) to pay off long-term debt, such as the Town Hall Loan Debt Service Fund;

Note that funds established for specific projects, events, or loans are eventually shut down once no longer needed. Below is a description of the Town’s special funds.

#### Local Option Gas Tax (.06 cent) Fund – 002

This is a restricted fund used for certain types of road expenditures. Each year the Town receives a share of the gas taxes collected in Volusia County. Beginning in 2021, the distribution formula for Volusia County cities was revised based solely on the proportion of road miles in each jurisdiction. mileage. Previously, the formula also included other factors such as population and assessed property values. The rates between 2012-2026 are adopted by interlocal agreement, which the Town officially adopted per Resolution 2021-04. This change negatively affects land-locked jurisdictions with no room for expansion such as Ponce Inlet and Daytona Beach Shores. The Town’s share was reduced to 0.582% in FY 22 and drops each year until FY 26 when the share is 0.298%. The annual adjustment after 8/31/26 shall be automatically adjusted annually based on the ratio of lane miles of public roads maintained by all participating municipalities. The gas tax funds will continue to see declining revenue over time as the Town’s proportion of roads decreases

as other communities expand. Historically, \$85,000 is budgeted each year for debt service associated with the Town's stormwater loan - FY 25/26 will be the final payment when this loan is paid off. The fund will be used to help pay for resurfacing of the Town's streets in future years.

#### Local Option Gas Tax (.05 cent) Fund – 003

This is a restricted fund used for certain types of road related expenditures; \$7,000 is budgeted for debt service associated with the Town's stormwater loan. See above.

#### Donations Fund – 005

In past years, this fund was primarily used for the Christmas parade donations and expenditures. Now that the parade receives corporate sponsorship, it is not needed for that purpose. Nonetheless, the fund still remains to receive donations for certain departments/categories. The reserve/fund balance in each category is tracked pursuant to its specific income and expenditures.

#### Hurricane Ian – 007

This fund was established for accounting purposes related to expenses and reimbursement from damage caused by Hurricane Ian in 2022. This fund itemizes all expenditures related to repair of Town structures, debris removal, equipment, and supplies. It shows the revenue received to date from the Town's insurance provider and FEMA. The Hurricane Ian fund will close after all repairs are complete and all eligible reimbursements have been received. The remaining \$60,097 will be transferred to the Disaster Recovery fund at the end of FY 24/25 and the fund will be closed out.

#### Disaster Recovery Fund – 008

This fund was established in 2024 to save money for future hurricanes and other disasters. It was used to make the initial repair payments after Hurricane Milton in 2024 until the eligible expenses could be reimbursed by FEMA and insurance. Out of the \$249,541.41 eligible expenses, \$185,783.83 has already been received from FEMA, with none yet received from insurance, and with \$63,757.58 total remaining to be received. In FY 25/26, staff expects to receive the last amount of \$27,960, which will be transferred into the reserves for this fund.

#### Tree Bank Fund - 141

This is a restricted fund for monies received from tree removal on private properties when on-site replacement cannot occur. This fund's budget includes \$4,000 for replacement trees as needed pursuant to the soon-to-be-completed tree replenishment plan.

#### Sidewalk Fund – 143

This is a restricted fund for monies received when it is not feasible to add a sidewalk in front of a newly developed property, especially when there are no adjoining sidewalks on either side. Expenditures must be related to the repair, replacement, or extension of sidewalks; \$15,000 is proposed for sidewalk repair. These monies may also be used in a future year toward the Town's portion of the South Peninsula Drive sidewalk project, if needed.

#### Parks & Recreation Fund – 144

This is a restricted fund to receive one-time impact fees with newly developed properties to improve the Town's parks and recreation facilities. The Town charges \$347.81 per new single-family construction and \$262.88 per unit for multi-family construction. Per Council direction, the

\$180,000 “signing bonus” from the new cell tower lease with Cingular Wireless PCS, LLC will be deposited into this account upon receipt for future recreational improvements.

#### Community Center Fund – 145

This fund was established to support the operation and maintenance of the Community Center. The Town has a contractual partnership with Ponce Inlet Community Center, Inc (PICCI) to operate and maintain the building. The Town pays for general insurance, 75% of the electric bill, and repairs/maintenance for the building, while PICCI covers the full cost of water service, 25% of the cost of electric service, and 100% of the insurance policy for activities in the Center. There is a General Fund transfer proposed in the amount of \$64,170 for FY 25/26, most of which will be used for replacement cabinets, counter tops, fans, lights, carpet, flooring, and a replacement ground sign.

#### Historical Museum Fund – 146

This fund was established to support operations at the Ponce Inlet Historical Museum, located at 143 Beach Street. The Museum brings in very minimal revenue through donations and charges only for classes, so its operations must be funded through transfers from the General Fund. This year, a transfer of \$64,013 is proposed to fund basic operations. An additional transfer of \$6,000 is proposed from existing reserves to replace the plexiglass at the Hasty Cottage and install the new Cocoa Bill historic marker, both which were recommended by the Cultural Services Board.

#### Police Education Fund – 160

This is a restricted fund for monies received from court-processed citations and criminal cases. Per state law, expenditures must be related to police education; police training has been budgeted in this account.

#### Debt Service – Stormwater Improvements Loan Fund – 201

This fund was established pursuant to state revolving fund loan requirements for debt service. Local option fuel tax revenues, refuse rate revenues, and sewer administrative fee revenues were pledged by the Town in 2005 for repayment of this loan (\$156,586/year). FY 25/26 will be the final year of this 20-year loan, which has a 2.7% interest rate.

#### Debt Service – Town Hall Loan Fund – 203

This fund was established pursuant to loan requirements for debt service. Funding from the Land Acquisition Fund, was pledged by the Town in 2004 for repayment of this loan (\$328,000/year). FY 23/24 was the final year of this 20-year loan.

#### Land Acquisition Fund – 302

This restricted fund was established in 2003 to as a means to purchase public lands, build public facilities, and pay for related professional services without using ad valorem tax revenue. The fund has historically been used to pay for the 20-year Town Hall loan, purchasing property to expand the Public Works facility, redevelopment and enhancements at Pollard Park and Davies Park, and the Town Hall remodel and conference room. In late 2024, the Town Council indicated its desire to amend this restrictive language of this fund to allow for other types of purchases, such as the new Quint 75 fire apparatus. The code amendment was finalized on April 17, 2025, via Ordinance 2025-02. The enabling language under Code of Ordinances Section 2-322 now reads as follows:

All revenue generated and collected by the town from franchise fees for the collection of garbage and the public service tax on the sale of electricity, metered natural gas, liquefied petroleum and manufactured gas shall be deposited into the town public land acquisition and facility fund, and shall be expended from that fund only for the purposes of acquiring real estate, construction of public facilities and payment of administrative, engineering and legal expenses related to those tasks. The town manager may request the town council to permit the expenditure of funds from the town public land acquisition and facility fund for other purposes and the town council may grant this request only by a four-fifths vote of the members present. The town manager is authorized to make expenditures from this fund within the parameters of this section.

For FY 25/26, the fund is proposed to pay for a site feasibility study for the replacement fire station, including an examination of alternatives (\$50,000); completion of the design and construction for the replacement of Public Works Building B (\$160,335 carryover); the purchase of undeveloped property for stormwater improvements (\$360,000); reshaping/expanding the Beach Street stormwater pond to add storage capacity (\$19,000); and transfers to the Public Safety Equipment fund for the first annual payment on the Quint 75 fire apparatus and purchase of a replacement patrol vehicle for the Police Department (\$240,000). Expenses from this fund rather than the General Fund do not affect the ad valorem millage rate, since they rely on a different source of revenue.

#### Public Safety Equipment Fund (aka Capital Fire Equipment Fund) – 305

This fund was originally established to save up for the purchase of Fire/EMS equipment and vehicles (e.g., ambulance, fire engine). Such equipment does not need to be replaced often, but when the time comes, it can have a highly disproportionate impact on a single year's budget. In the past, it has been used to purchase Self-Contained Breathing Apparatus (SCBA) gear and replacement Monitors/Defibrillators for the Fire Department. Staff is proposing to rename this fund to broaden and more accurately describe its range of uses. The fund was not established by resolution, but rather through adoption of the budget ordinance in the year it was created. It can therefore be changed through the same process. In FY 25/26 the fund is proposed to be used for the first of seven annual \$210,000 payments for the 75' Quint fire apparatus, plus the purchase of a replacement Police patrol vehicle. The Public Safety Equipment fund is a savings account and does not have its own source of revenue. For these purchases, funds are proposed to be transferred from the Land Acquisition fund (\$240,000) and existing fund reserves (\$20,000).

#### Capital Facility Maintenance and Equipment Fund (aka Capital Facility Maintenance Fund) – 307

This fund was established at the direction of Council for the purpose of building a reserve for capital maintenance and repair needs of various town facilities, including otherwise unplanned capital equipment replacement requirements (e.g., air conditioners, generators, etc.). In previous years, it was used to repair and replace the Town Hall HVAC evaporator coil, the Police Department HVAC heater, and the Fire Department HVAC system. Staff is proposing to rename this fund to broaden and more accurately describe its range of uses. The fund was not established by resolution, but rather through adoption of the budget ordinance in the year it was created. It can therefore be changed through the same process. In FY 25/26 the fund is proposed to be used for replacing the HVAC unit at the Police Station, which is the original unit installed when the building was constructed 19 years ago. The Capital Facility Maintenance and Equipment fund is a savings

account and does not have its own source of revenue. For this purchase, funds are proposed to be transferred from the Economic Impact Fund (\$25,000) and existing fund reserves (\$23,000).

#### Ponce de Leon Circle Septic-to-Sewer Project – 309

This fund was established for the gravity sewer project on this street. This project is now complete, and the fund is ready to be closed out once staff receives the OK from our auditors.

#### Economic Impact Funds – 310

This fund was initially created to segregate the one-time receipt and expenditures of American Rescue Fund Act (ARPA) money. The Town Council allocated these funds through Resolution 2022-06 for design of the septic-to-sewer master plan, Police and Fire radios, Energov software and hardware (servers), and for the S. Peninsula sidewalk project. In FY 24/25, \$122,000 was allocated to pay for the replacement backhoe for Public Works (via transfer in equal parts to the Public Works and Water operating accounts). In FY 25/26, \$17,400 is proposed to be carried over to complete the Energov software update. Another \$25,000 is proposed for transfer to the Capital Facility Maintenance and Equipment Fund, while another \$14,450 will pay for expenses related to the septic-to-sewer project.

#### South Peninsula Drive Sidewalk Grant Match Fund – 311

The Town has pledged a 15% match for this project. Per the Town's interlocal agreement with Volusia County, the Town will be able to fulfill its 15% match requirement by paying for 100% of the survey and design costs. The agreement also requires the Town to reimburse County staff for its time to manage the project on the Town's behalf. By the end of FY 24/25, the Town will have reimbursed the County for \$184,210 in surveying and initial design costs, and \$80,600 for staff administrative cost. For FY 25/26, the Town will pay for the remainder of the design costs (\$97,390) and another \$25,000 for County staff time. The necessary monies are currently available in the reserve account for this Fund.

#### Septic-to-Sewer Phases 1 and 2 – 312

This fund was created in FY 24/25 to manage the \$10.4 million SRF loan (100% principal forgiveness) from FDEP and construction expenditures for this project. The loan agreement with FDEP was executed in September 2024. However, FDEP has since requested additional revisions to the plans and application documents to ensure eligibility of the project with the SAHFI (Supplemental Appropriation for Hurricanes Fiona and Ian) program. Once finalized, the construction can be put out for bid. Staff is proposing to split the construction into two phases over two years, with the first phase (\$5,214,450) proposed for funding in FY 25/26.

#### Water Operating & Maintenance Fund – 401

This fund operates as a semi-enterprise fund to segregate the Town's water revenues and allocated expenditures that support the Town's delivery of water utility services. The rates for water service have been established to cover the Town's internal service delivery costs, the payment to the City of Port Orange for the wholesale purchase of water, and the debt service for the 2016 water system improvement project. At the recommendation of the Town's water rate consultant, repair and maintenance costs are now paid out of a separate Repair & Replacement Fund, which was established in FY 24/25 last year for that purpose. For FY 25/26, \$104,900 is proposed to be transferred to the R&R Fund. The Water fund also helps pay 5% of the I.T. budget (\$25,000) and

100% of the annual loan payments for the water system improvements debt service (\$62,000) via transfer to the 411 Fund.

#### Refuse Fund – 402

This fund operates as a semi-enterprise fund to segregate the town's waste collection revenues and expenditures. The Town's rates have historically been set to cover the cost of its contracted waste hauler, annual payments for a portion of the stormwater debt service (\$12,500 per year), and to fund a hazardous waste pick-up and paper shredding event for residents every 1-2 years. The Town's current contract with Waste Pro began in 2019 and was renewed last year for an additional five years. In 2023, the Town increased its collection rates to \$35/month, which was intended to cover increased rates from Waste Pro along with increased fuel costs and landfill tipping fees. Waste Pro recently notified the Town that its rates will be increasing to \$35.02 per month, which would cause a small operating deficit in future years. For now the proposed budget for FY 25/26 includes the anticipated waste collection costs and the final payment for the stormwater debt service. However, without a rate increase or transfers from other revenue sources, it does not include a hazardous waste pickup and paper shredding event, which typically cost \$8,000. A rate increase to \$37.50/month is recommended to cover expected cost increases and pay for the paper shredding event out of the refuse fund. This will be presented in more detail at a future Council meeting.

#### Sewer Fund – 403

This fund operates as a semi-enterprise fund to partition the sewer revenues and impact fees collected by the Town for a direct pass-through payment to the City of Port Orange. Sewer rates are set by the City of Port Orange and are adopted *as-is* by the Town. The City of Port Orange increased its sewer rates last year and is doing so again next year, effective January 1, 2026. The Town receives an administrative fee from Port Orange to process payments. The administrative fee is first used to meet an annual pledge of \$12,500 for the Town's stormwater debt service obligation, and the remainder is transferred to the General Fund to support the administration of this billing service. The 20-year stormwater debt service will be paid off in FY 26/26, meaning that the \$12,500 payment will be the last one for that loan.

#### Water Expansion Fund – 404

This is a restricted fund for impact fees assessed to support the Town's water system infrastructure. All monies received from this impact fee can only be expended for making major emergency repairs, extending or oversizing water lines, separating or constructing new additions to the distribution system, paying any fees required by contractual agreement, or for the expansion, improvement and maintenance of the operation and administration of the water system. The Town increased its impact fees and connection fees last year to match recent increases by the City of Port Orange.

#### Water Renewal & Replacement Fund – 405

This new fund was created in FY 23/24 at the recommendation of the Town's water rate consultant. The "R&R" fund is a savings account intended to pay for all repair and maintenance expenses related to the water system, including equipment, vehicles, and hydrants. It is also used to maintain healthy reserves for water system operations. In prior fiscal years, these expenses were paid out of the Water Operating & Maintenance Fund (#401). For FY 25/26, \$104,900 is proposed through a

transfer from the Water operating fund to replace 3 fire hydrants (per schedule), 15 Town-owned backflow preventers, and repair and maintenance expenses.

#### Debt Service – Water System Improvements Fund – 411

This fund was established in 2017 pursuant to the state revolving fund loan requirements for debt service. The water fund is the only revenue source that was pledged by the Town for repayment of this loan (\$62,000/year). FY 25/26 will be the 9<sup>th</sup> year of this 20-year loan, which has a 1.01% interest rate.

#### Legal Requirements

The Town Council is required to set the tentative millage rate for notices on the proposed property tax bill at the July 17, 2025 Council meeting. From that point, the Council can always lower the proposed millage rate before the final budget is adopted in September, but the rate cannot be increased. The proposed millage rate of 6.25 is 0.51% above the RBR and estimated to produce \$8,281,730 in ad valorem revenue collected at 95%. For comparison, the FY 24/25 millage rate is 6.4559 and brought in \$8,188,952.

For your information, the State limitations for the millage rate increase for the Town in FY 25/26 are as follows:

- Council by simple majority vote may adopt a millage rate of up to 6.4984, which is 4.51% above RBR and estimated to produce \$8,610,879 in ad valorem revenue.
- Council by super majority vote may adopt a millage rate of up to 7.1482, which is 14.96% above RBR and estimated to produce \$9,471,914 in ad valorem revenue.
- Anything higher than a 7.1482 millage rate must be approved by unanimous vote.

After reviewing the full proposal, should the Council wish to consider an increase in the budget or millage rate, note that each one-tenth mill equals \$132,508 in revenue proceeds at 95%, which is the percentage historically relied upon for budgeting purposes.

#### Conclusion

This proposed budget is the product of many months of work and includes the valuable input of Town staff, the Town Council, and the public. Operational needs, level of service, and quality of life, are all considerations in the balancing process. We welcome your questions, comments, and ultimately your direction as we go forward in this annual millage rate and budget adoption process. Thank you.

#### Attachments:

1. Summary of the Town's Reserves (April 2025)
2. Millage Rate Projected Revenue Calculations for FY 25/26
3. Impact of Millage Rate at 6.25 mills

### Town of Ponce Inlet Reserve Analysis (April 2025)

Fund Name	Fund Type	Fund Balance FY 19/20	Fund Balance FY 20/21	Fund Balance FY 21/22	Fund Balance FY 22/23	Fund Balance FY 23/24	Fund Balance 24/25
General Fund	Non-Restricted	\$ 2,808,484	\$ 3,405,223	\$ 4,035,916	\$ 4,048,698	\$ 4,190,777	\$ 5,349,837
Old Gas Tax (.06)	Restricted	\$ 84,930	\$ 88,278	\$ 98,529	\$ 98,082	\$ 89,115	\$ 77,205
New Gas Tax (.05)	Restricted	\$ 411,517	\$ 470,268	\$ 433,304	\$ 487,462	\$ 538,391	\$ 588,925
Donations	Restricted	\$ 3,625	\$ 3,617	\$ 6,423	\$ 8,188	\$ 8,566	\$ 10,241
Hurricane Ian	Assigned	n/a	n/a	n/a	\$ -	\$ 123,842	\$ 60,097
Disaster Recovery Fund	Restricted	n/a	n/a	n/a	n/a	\$ -	\$ 100,000
Tree Bank	Restricted	\$ 15,947	\$ 22,855	\$ 26,791	\$ 27,760	\$ 44,085	\$ 61,985
Sidewalk	Restricted	\$ 44,863	\$ 56,246	\$ 70,453	\$ 76,824	\$ 90,787	\$ 94,061
Parks & Recreation	Restricted	\$ 11,116	\$ 14,594	\$ 20,856	\$ 24,682	\$ 27,812	\$ 30,594
Community Center	Non-Restricted	\$ 5,388	\$ 26,434	\$ 57,100	\$ 23,737	\$ 25,717	\$ 28,529
Historical Museum	Non-Restricted	\$ 18,697	\$ 19,648	\$ 21,978	\$ 22,383	\$ 14,670	\$ 37,237
Police Education	Restricted	\$ 10,643	\$ 11,237	\$ 12,566	\$ 13,623	\$ 14,853	\$ 16,195
Stormwater Loan	Debt Service	\$ 2,630	\$ 2,729	\$ 2,727	\$ 2,725	\$ 2,723	\$ 2,721
Town Hall Loan	Debt Service	\$ 2,409	\$ 2,409	\$ 2,408	\$ 1,581	\$ 1,221	\$ 821
Land Acquisition Fund	Committed	\$ 124,805	\$ 167,230	\$ 302,799	\$ 464,357	\$ 439,546	\$ 644,649
Capital Fire Equipment Fund	Restricted	\$ 150,000	\$ 200,000	\$ 29,400	\$ 229,400	\$ 115,830	\$ 115,830
Capital Facility Maintenance Fund	Assigned	n/a	\$ 25,000	\$ 50,000	\$ 75,000	\$ 82,760	\$ 54,860
Ponce de Leon Septic-to-Sewer Project	Grant Project	n/a	n/a	\$ 31,841	\$ (40,374)	\$ (21,155)	\$ (21,155)
Economic Impact Fund	Restricted	n/a	n/a	n/a	\$ 1,214,036	\$ 266,002	\$ 182,798
S. Peninsula Dr. Sidewalk	Assigned	n/a	n/a	n/a	\$ 150,000	\$ 802,756	\$ 1,100,703
Septic-to-Sewer Project	Restricted	n/a	n/a	n/a	n/a	\$ -	\$ 26,906
Water Operating & Maintenance Fund	Enterprise	\$ 1,009,119	\$ 1,288,818	\$ 1,042,489	\$ 1,022,330	\$ 850,862	\$ 1,001,169 *
Water O&M Fund (Captial Assets - Equity)	Enterprise			\$ 2,053,209	\$ 1,887,943	\$ 1,765,438	\$ 1,665,885
Refuse	Enterprise	\$ 27,986	\$ 36,744	\$ 45,649	\$ 31,384	\$ 6,389	\$ 14,070
Sewer	Enterprise	\$ 6,273	\$ 8,986	\$ 8,991	\$ 7,529	\$ 6,515	\$ 5,156
Water Expansion	Restricted	\$ 117,920	\$ 127,082	\$ 145,406	\$ 155,286	\$ 164,448	\$ 171,574
Water Repair & Replacement	Enterprise	n/a	n/a	n/a	n/a	\$ -	\$ 49,741
Water System Improvements Loan	Debt Service	\$ 59,038	\$ 59,211	\$ 59,385	\$ 59,558	\$ 59,731	\$ 59,904
<b>Total</b>		<b>\$ 4,915,390</b>	<b>\$ 6,036,609</b>	<b>\$ 8,558,220</b>	<b>\$ 10,092,194</b>	<b>\$ 9,711,681</b>	<b>\$ 11,530,538</b>

\*Adjusted FY21/22 to take out fixed assets to get an accurate Fund Balance (This matches retained earnings)



# ATTACHMENT 2

Preliminary Millage Rate Estimates for Fiscal Year 25/26				
Based on certified tax estimates (Letter required by June 1st):				
Total taxable value of property is (take from Step 1)	1,394,817,683			
Taxable value of new construction (take from Step 1)	10,639,115			
Current year adjusted taxable value (A5-A6)	1,384,178,568			
Prior year final gross taxable value (take from January 2024 letter)	1,333,167,714			
multiply by prior year operating millage levy	6.4559			
Prior year ad valorem proceeds: (current year)	8,606,797			
Current year estimated rolled back-rate	6.2180			
Proposed millage scenarios based on preliminary estimates:				
Proposed Millage Rate	Ad Valorem Proceeds	95% Proceeds	% Increase over RBR	
7.1482	9,970,436	9,471,914	14.96%	Max for super majority vote
7.0000	9,763,724	9,275,538	12.58%	
6.9500	9,693,983	9,209,284	11.77%	
6.9250	9,659,112	9,176,157	11.37%	
6.9000	9,624,242	9,143,030	10.97%	
6.8000	9,484,760	9,010,522	9.36%	
6.7473	9,411,253	8,940,691	8.51%	
6.7000	9,345,278	8,878,015	7.75%	
6.6500	9,275,538	8,811,761	6.95%	
6.6250	9,240,667	8,778,634	6.55%	
6.6000	9,205,797	8,745,507	6.14%	
6.5900	9,191,849	8,732,256	5.98%	
6.4984	9,064,083	8,610,879	4.51%	Max for simple majority vote
6.4930	9,056,551	8,603,724	4.42%	
6.4769	9,034,095	8,582,390	4.16%	
6.4559	9,004,803	8,554,563	3.83%	FY 24/25 adopted millage rate
6.4402	8,982,905	8,533,760	3.57%	
6.4331	8,973,002	8,524,352	3.46%	
6.4173	8,950,964	8,503,415	3.21%	
6.4000	8,926,833	8,480,492	2.93%	
6.2779	8,756,526	8,318,700	0.96%	
6.2500	8,717,611	8,281,730	0.51%	FY 25/26 proposed millage rate
6.2180	8,672,976	8,239,328	0.00%	Roll Back Rate
6.2000	8,647,870	8,215,476	-0.29%	
6.1915	8,636,014	8,204,213	-0.43%	
6.0000	8,368,906	7,950,461	-3.51%	
5.9000	8,229,424	7,817,953	-5.11%	
5.8000	8,089,943	7,685,445	-6.72%	
5.7000	7,950,461	7,552,938	-8.33%	
5.6500	7,880,720	7,486,684	-9.13%	
5.6000	7,810,979	7,420,430	-9.94%	
5.5000	7,671,497	7,287,922	-11.55%	
5.4000	7,532,015	7,155,415	-13.16%	
5.3000	7,392,534	7,022,907	-14.76%	
4.5000	6,276,680	5,962,846	-27.63%	
1.0000	1,394,818	1,325,077		
0.1000	139,482	132,508		

**ATTACHMENT 3**

General Maximum Impact of Millage Rate - FY 25/26							
Proposed Rate	6.25						
Prior year tax rate	6.4559						
Homesteaded Properties currently assessed below market value							
2024 - Ponce Inlet Taxes			Proposed 2025- Ponce Inlet Taxes				
Assessed Taxable Value	Minus Homestead	Taxes Paid to Ponce		3% Assessed Increase	Minus \$50,000 Homestead	Taxes Paid to Ponce	Difference
\$1,000,000	\$950,000	\$6,133		\$1,030,000	\$980,000	\$6,125	(\$8)
\$750,000	\$700,000	\$4,519		\$772,500	\$722,500	\$4,516	(\$3)
\$500,000	\$450,000	\$2,905		\$515,000	\$465,000	\$2,906	\$1
\$375,000	\$325,000	\$2,098		\$386,250	\$336,250	\$2,102	\$4
\$250,000	\$200,000	\$1,291		\$257,500	\$207,500	\$1,297	\$6
Non-Homesteaded Properties currently assessed at prior year market rate							
2024 - Ponce Inlet Taxes			Proposed 2025 - Ponce Inlet Taxes				
Assessed Taxable Value		Taxes Paid to Ponce		10% Increase (Average Townwide)		Taxes Paid to Ponce	Difference
\$1,000,000		\$6,456		\$1,100,000		\$6,875	\$419
\$750,000		\$4,842		\$825,000		\$5,156	\$314
\$500,000		\$3,228		\$550,000		\$3,438	\$210
\$375,000		\$2,421		\$412,500		\$2,578	\$157
\$250,000		\$1,614		\$275,000		\$1,719	\$105

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**WHEREAS**, Florida law requires the Town Council of the Town of Ponce Inlet, Florida, to establish a proposed millage rate for levying ad valorem property taxes for municipal purposes on all taxable property within the Town limits of the Town of Ponce Inlet, Florida; and

**WHEREAS**, the Town Council hereby establishes the dates for its public hearings on the millage rate and the budget for fiscal year 2025/2026.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, FLORIDA:**

The proposed millage rate for the Fiscal Year commencing on October 1, 2025 through September 30, 2026 is **6.25 mills**, which equals \$6.25 per \$1,000 (One Thousand Dollars) of taxable value and generates \$8,281,730 in ad valorem revenue at a 95% collection rate. The proposed millage rate is 0.51% above the rolled-back rate of 6.2180 mills.

The first public hearing is hereby set as a Special Town Council meeting on **Wednesday, September 3, 2025 at 6:00 p.m.** This first hearing will be noticed on the proposed property tax bill. An advertisement for the tentative millage rate and budget will be run in accordance with State Law following this first public hearing. The second public hearing is hereby scheduled in conjunction with the Town Council's regular meeting on **Thursday, September 18, 2025 at 6:00 p.m.** These dates and times are subject to change by the Town Manager, if necessary, provided all required notifications/advertisements are completed.

If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent authority, that holding in no way affects the remaining

portions of this Resolution.

**SECTION 4. CONFLICTING RESOLUTIONS**

All Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5. EFFECTIVE DATE**

This Resolution shall become effective immediately upon adoption.

It was moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ that said Resolution be adopted. A roll call vote of the Town Council on said motion resulted as follows:

Mayor Paritsky, Seat #1 \_\_\_\_\_

Councilmember Milano, Seat #2 \_\_\_\_\_

Councilmember White, Seat #3 \_\_\_\_\_

Councilmember Villanella, Seat #4 \_\_\_\_\_

Vice-Mayor Smith, Seat #5 \_\_\_\_\_

Passed this 17<sup>th</sup> day of July 2025.

Town of Ponce Inlet, Florida

\_\_\_\_\_  
Lois A. Paritsky, Mayor

ATTEST:

\_\_\_\_\_  
Kim Cherbano, CMC  
Town Clerk



**Meeting Date:** 7/17/2025

**Agenda Item:** 11-B

## **Report to Town Council**

**Topic:** Resolution 2025-09 – Authorizing participation in Volusia County’s Transform386 Homeowner Repair and Replacement Program and Homeowner Recovery Program Buyout Pathway.

**Summary:** Resolution 2025-09 has been prepared for the purpose of signifying the Town’s willingness to participate in Volusia County’s homeowner repair and buyout programs. These programs are offered through the Office of Recovery and Resiliency, otherwise known as Transform386. Please see the attached staff report and supporting documentation for more information.

**Suggested motion:** Approval of Resolution 2025-09 authorizing participation in Volusia County’s Transform386 Homeowner Repair and Replacement Program and Homeowner Recovery Program Buyout Pathway.

**Requested by:** Mr. Disher, Town Manager

**Approved by:** Mr. Disher, Town Manager



## MEMORANDUM

### Town of Ponce Inlet – Office of the Town Manager

*The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.*

To: Town Council

From: Michael E. Disher, AICP, Town Manager

Date: July 9, 2025

Subject: Resolution 2025-09 - Authorizing participation in Volusia County's Transform386 Homeowner Repair and Replacement Program and Homeowner Recovery Program Buyout Pathway

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**MEETING DATE:** July 17, 2025

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#### Introduction

Staff is requesting approval to participate in Volusia County's two homeowner repair and buyout programs through its Office of Recovery and Resiliency, a/k/a Transform386. Participating in these programs will allow the Town to receive ownership of flood-prone residential properties purchased by the County from willing sellers in Ponce Inlet. Cities interested in participating in this program must officially signify their willingness by adopting a resolution. Resolution 2025-09 has been prepared for this purpose.

#### Overview

Volusia County has received CDBG-DR funds from the U.S. Department of HUD for disaster recovery efforts following Hurricanes Ian and Milton. The funds are intended to address disaster recovery needs that are not met by other sources of Federal disaster assistance. Volusia County's Transform386 office was established to administer these funds<sup>1</sup> through a variety of programs focused on owner-occupied housing and community infrastructure/stormwater management.

The "Single-Family Homeowner Repair and Replacement Program" and the "Hurricane Milton Homeowner Recovery Program" involve homeowner buyouts. "Buyout" is a pathway for the County to purchase eligible residential properties in flood-prone areas at the homeowner's request.

The programs are run entirely by Volusia County staff. Eligible properties must be in the 100-year floodplain and/or Disaster Risk Reduction Areas (DRRA). Under HUD CDBG-DR regulations, local governments are eligible to receive title to properties within their jurisdiction that are acquired through these programs, subject to deed restrictions ensuring the land is dedicated in perpetuity to uses compatible with open space or floodplain/wetlands management practices.

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<sup>1</sup> For more information, visit <https://www.transform386.org/>

## Steps in the Process

1. Homeowners wishing to sell their property make an application to the County. After the County reviews the request for eligibility, it then confirms acceptance by the local government and conducts damage assessment, environmental review, and property appraisal.
2. The County provides a written offer to the homeowner. If accepted, a purchase contract is fully executed and closing is scheduled.
3. Once the purchase is complete, the County clears the property of all structures and other impervious areas and then transfers the property to the appropriate jurisdiction.
4. A quit claim deed transfer, including the deed restrictions, will then be completed by the program and recorded. The deed restrictions require the governing jurisdiction to accept ownership and maintain the property in perpetuity as greenspace or stormwater infrastructure.

## Current Policy

The acquisition of flood-prone properties is consistent with the resilience policies in the Comprehensive Plan and with the Town Council's goals for staff. Participation in this program provides another method for the Town to achieve these goals.

### Coastal Management Element

*Policy 1.4.4: Coastal Area Redevelopment.* The Town shall guide redevelopment in a manner that eliminates inappropriate and unsafe development in the coastal areas as opportunities arise. Specifically, the Town will:

\* \* \*

- B. Apply best practices, principles, strategies, and engineering solutions that will result in the removal of coastal property from Federal Emergency Management Agency (FEMA) flood zone designations. Such strategies include but are not limited to acquiring repetitive-loss properties for mitigation purposes and requiring the elevation of new and reconstructed structures to be elevated at least one foot above the current base flood elevation to account for projected sea level rise over their structural lifespan.

*Policy 1.4.9: Repetitive Loss Mitigation Plan.* The Town, in accordance with FEMA requirements, shall continue to explore mitigation strategies to reduce damage in areas of repetitive loss due to flooding, such as capital improvements programming, land development regulations, and acquiring property.

### Town Council Goal for Public Works

4. Seek resiliency grants for purchases of low-lying properties to improve stormwater drainage.

## Recommendation

To participate, the Town must adopt a resolution confirming its willingness to partner with the program and provide authority for the Town Manager to approve or decline taking ownership of specific locations within Ponce Inlet. Staff recommends **approval** of Resolution 2025-09, authorizing participation in Volusia County's Transform386 Homeowner Repair and Replacement Program and Homeowner Recovery Program Buyout Pathway.



**RESOLUTION NO. 2025-09**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ENTER INTO AGREEMENTS WITH VOLUSIA COUNTY FOR THE ACCEPTANCE OF PROPERTIES ACQUIRED THROUGH THE HOUSING AND URBAN DEVELOPMENT (HUD) COMMUNITY DISASTER BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) FUNDED SINGLE-FAMILY HOMEOWNER REPAIR AND REPLACEMENT PROGRAM AND HOMEOWNER RECOVERY PROGRAM BUYOUT PATHWAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Volusia County has received CDBG-DR funds from the U.S. Department of HUD for disaster recovery efforts following Hurricanes Ian and Milton; and

**WHEREAS**, Volusia County has established the Office of Recovery and Resiliency, a/k/a Transform386, to administer the CDBG-DR funded Single-Family Homeowner Repair and Replacement Program and Hurricane Milton Homeowner Recovery Program, both of which include homeowner buyouts, which are the voluntary acquisition of properties from willing sellers in flood-prone areas; and

**WHEREAS**, under HUD CDBG-DR regulations, local governments are eligible to receive title to properties acquired through the programs, subject to deed restrictions ensuring the land is dedicated in perpetuity to uses compatible with open space or floodplain/wetlands management practices; and

**WHEREAS**, the Town of Ponce Inlet recognizes the benefits of receiving such properties to promote flood risk reduction, environmental resilience, and public benefit consistent with the intent of the Transform386 Programs; and

**WHEREAS**, the Town finds it to be in its best interest to participate in the Transform386 program and shall accept ownership of properties acquired within the Town limits under the Transform386 Programs; and

**WHEREAS**, the Town after ownership transfer shall be solely responsible for any ongoing maintenance obligations associated with a property; and

**WHEREAS**, the Town Council authorizes the Town Manager to execute any necessary documents with Volusia County, or its designees, to accept Town ownership of Transform386 homeowner buyout properties within the Town limits.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Ponce Inlet that:

**SECTION 1. RECITALS.** The above recitals are true and correct and are incorporated herein by this reference.

**SECTION 2. DECLARATION.** The Town Council hereby authorizes the Town Manager, or designee, to execute and deliver any and all agreements, instruments, or documents necessary to accept the transfer of real property acquired through the Transform386 Programs, subject to applicable CDBG-DR and HUD regulations, and in accordance with any deed restrictions required for long-term land use compliance.

**SECTION 3. SEVERABILITY.** If any section, subsection, clause, or provision of this Resolution be determined invalid by a court decision, statute, regulation, or rule, the remainder shall not be affected by such invalidity.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall become effective immediately upon adoption.

It was moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ that said Resolution be adopted. A roll call vote of the Town Council on said motion resulted as follows:

Mayor Paritsky, Seat #1	_____
Councilmember Milano, Seat #2	_____
Councilmember White, Seat #3	_____
Councilmember Villanella, Seat #4	_____
Vice-Mayor Smith, Seat #5	_____

Passed this 17<sup>th</sup> day of July 2025.

**Town of Ponce Inlet, Florida**

\_\_\_\_\_  
Lois A. Paritsky, Mayor

**ATTEST:**

\_\_\_\_\_  
Kim Cherbano, CMC  
Town Clerk



**Meeting Date:** 7/17/2025

**Agenda Item:** 15

**Report to Town Council**

**Topic:** From the Town Manager

**Summary:** Please see attached report.

**Requested by:** Mr. Disher, Town Manager

**Approved by:** Mr. Disher, Town Manager



## MEMORANDUM

### OFFICE OF THE TOWN MANAGER

*The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.*

To: Town Council  
From: Michael E. Disher, AICP, Town Manager  
Date: July 8, 2025  
Subject: Town Manager's Report

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**MEETING DATE:** July 17, 2025

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1. The Pollard Park playground equipment is expected to be delivered and installed this month. Once installed and inspected, the playground will be opened back up for public use.
2. Upcoming Swale Maintenance – Starting Monday, July 14<sup>th</sup>, Public Works will begin a swale maintenance project along S. Peninsula Drive, starting at Marie Drive and continuing north to Jana Drive on the east side of the road. The work will be similar to completed next to Beacon Point condos this past January.
3. The Police Department will conduct another pedestrian crosswalk detail on Tuesday, July 15. Police officers will be in plain clothes using Town crosswalks to catch drivers who fail to yield to pedestrians. Citations and educational material will be issued to drivers.
4. The Police Department will be holding another Women's Self Defense Class in early August at the Community Center.
5. The Town's insurer has issued payment for around \$35.8k for damages from Hurricane Milton – the check is expected to be delivered this week or next.
6. The Town's podcast, *Inside Ponce Inlet*, will soon release its fourth episode titled "**Resilient Ponce Inlet: Planning for the Future.**" In this episode, Planning and Development staff members Darren Lear and Patty Rippey discuss the Town's efforts to address future flooding and sea-level rise, with a focus on the new Watershed Master Plan and upcoming resiliency initiatives. The episode aims to keep residents informed and engaged in these important planning efforts.
7. The next "Sandbag Saturday" will be held on July 19<sup>th</sup>, from 8 am – 12 pm at the Public Works facility. Sand and sandbags are provided for Ponce Inlet residents only. This is self-serve, so residents will need to bring their own shovel along with ID for proof of residency.

8. Building permit activity:

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Avg
Permit applications	123	122	137	164	147	150							843	141
Permits issued	90	111	133	149	144	132							759	127
Plan reviews	93	113	125	149	138	161							779	130
Inspections	246	236	252	313	270	285							1,602	267

\* \* \*