



## Legislation Text

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**File #:** 15-5149, **Version:** 1

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**TO:** Mayor and Commission

**AGENDA DATE:** 4/5/2021

**FROM:** John A. Peters, III, PE, Acting City Manager

**AGENDA ITEM:** 11 - G

**SUBJECT:**

Request approval of a Land Acquisition Policy and Procedures modeled after Sections 6, 7, and 9 of the FDOT Right of Way Acquisition Manual.

Strategic Goal: Infrastructure/Fiscal Issues

**LOCATION:**

City Wide

**BACKGROUND:**

From time to time, the City of Deltona acquires property for road rights of way, utility easements, building construction and other purposes. Due to the lack of a coherent policy on land acquisition, the City has often been accused of lack of transparency and fairness. Staff is currently working on several land acquisition efforts that have brought the lack of a Policy and Procedure into the fore.

The Florida Department of Transportation (FDOT) is one of, if not the largest, acquirer of land in the State of Florida. Because these acquisitions by the FDOT often involve State and Federal funds, there land acquisition process must meet a much higher standard of care than many municipalities utilize. The FDOT Land Acquisition Manual includes Appraisal Procedures in Section 6, Land Acquisition Process in Section 7 and Relocations in Section 9. Staff is recommending that the City of Deltona adopt Section 6, 7 and 9 of the FDOT Right of Way Acquisition Manual. Because of the prior approval of the State of Florida and the Federal Government in the production of these procedures, the City of Deltona can be assured of meeting the requirements of State and Federal grants and direct funding in the future.

**COST:**

N/A

**SOURCE OF FUNDS:**

N/A

**ORIGINATING DEPARTMENT:**

City Manager

**STAFF RECOMMENDATION PRESENTED BY:**

John A. Peters, III, PE, Acting City Manager - That the Commission approve the adoption of the FDOT Right of Way Acquisition Manual Sections 6, 7, and 9 as the City of Deltona Land Acquisition

Policy

**POTENTIAL MOTION:**

“I Move to approve Sections 6, 7 and 9 of the FDOT Right of Way Acquisition Manual as the City of Deltona Land Acquisition Policy. The Acting City Manager has the authority to correct scrivener’s errors and the like.”